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Rules of Governmental Agencies

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq., as amended).

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June 18, 1991	June 25, 1991	27	July 5, 1991	Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: State Administration of the Federal Community Services Block Grant Program

- 2) Code Citation: 47 Ill. Adm. Code 120

- 3) Section Numbers: 120.115
Proposed Action: Amendment

- 4) Statutory Authority: Implementing the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1989, ch. 127, pars. 2601 et seq.) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.42).

- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendments to Section 120.115 of the "State Administration of the Federal Community Services Block Grant Program" rules add specificity to the default provisions, requiring each loan contract to contain an interest acceleration clause to be effective in the event of loan hiring default. The provision is an adaptation of similar interest acceleration clauses currently used by some CSBG lenders. It is intended to be an equitable method to enforce the low-income benefit necessary to justify the private use of CSBG funds. This rulemaking also updates the reference to the "Robert Morris Annual Statement Studies" to reflect the 1990 edition.

- 6) Will these proposed amendments replace an emergency rule currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Do these proposed amendments contain incorporations by reference? No.

- 9) Are there any proposed amendments pending on this Part? No.

- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1989, ch. 85, par. 2203).

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. John D. Taylor, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th floor
Springfield, Illinois 62701
(217) 782-6136

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 4, 1991.
- B) Types of small businesses and small municipalities affected: There will be no effect on small municipalities. Types of small businesses affected may include not-for-profit community action agencies, sole proprietorships, chapter "S" corporations, and general corporations.
- C) Reporting, bookkeeping or other procedures required for compliance: All CSBG loan contracts must contain an interest acceleration clause to be effective in the event of loan hiring default.
- D) Types of professional skills necessary for compliance: General business administration skills are necessary for compliance.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 120
STATE ADMINISTRATION OF THE FEDERAL COMMUNITY SERVICES
BLOCK GRANT PROGRAM

Section	
120.10	Legislative Base
120.20	Purpose and Scope
120.30	Definitions
120.40	Allocation
120.50	Grant Application Requirements
120.55	Grantee Termination
120.60	Grantee Selection
120.70	Required Board Structure
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120.90	Nondiscrimination
120.100	Complaint Process
120.110	Program Types-Description
120.115	CSBG Loan Programs
120.120	Eligibility Requirements
120.130	Limitations on Use of CSBG Funds
120.140	Incorporation by Reference

AUTHORITY: Implementing the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1989, ch. 127, pars. 2601 et seq.) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.42).

SOURCE: Adopted and codified at 7 Ill. Reg. 2934, effective March 9, 1983, amended at 8 Ill. Reg. 6023, effective April 20, 1984; amended at 9 Ill. Reg. 10692, effective June 28, 1985; amended at 9 Ill. Reg. 18130, effective November 12, 1985; amended at 10 Ill. Reg. 8666, effective May 13, 1986; amended at 10 Ill. Reg. 8976, effective May 13, 1986; amended at 10 Ill. Reg. 21051, effective December 8, 1986; amended at 11 Ill. Reg. 5926, effective March 19, 1987; amended at 11 Ill. Reg. 7937, effective April 20, 1987; amended at 12 Ill. Reg. 751, effective December 28, 1987; amended at 12 Ill. Reg. 17311, effective October 17, 1988; amended at 13 Ill. Reg. 779, effective January 4, 1989; amended at 13 Ill. Reg. 13562, effective August 11, 1989; amended at 13 Ill. Reg. 14026, effective August 28, 1989; amended at 14 Ill. Reg. 13970, effective August 20, 1990; amended at 15 Ill. Reg. _____, effective _____.

Section 120.115 CSBG Loan Programs

- a) Loan Types
- 1) Fixed Rate Financing Fund Loan

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

- CSBG funds are loaned through Grantees to an Illinois business in a separate but companion agreement to a conventional loan.
- The combined loans must exceed \$75,000.
- The CSBG loan represents no less than ten percent (10%) and no more than twenty percent (20%) of the total loan package (combined borrowing and equity).
- The conventional loan is obtained from a licensed Illinois lending institution. The Small Business Administration guarantees up to 90% of the private lending institution's loan through its 7(a) Guaranteed Loan Program (15 U.S.C. 636(a)). The lending institution may sell the guarantee, called a "guaranteed interest certificate" into the secondary money market at a fixed interest rate that is one-half to one percent above Treasury bonds of the same maturity.
- The CSBG loan term may not exceed 10 years.
- CSBG Loan interest rate (Fixed-Flexible option)
 - The CSBG loan shall have a fixed interest rate of no more than five percent (5%); or
 - At the grantee's option, the interest rate to the borrower may be set at loan inception at a rate not to exceed one-half (1/2) of the Prime Interest Rate (National Prime Rate as shown on that date in the Wall Street Journal). This calculated rate shall become the loan's fixed interest rate for a one year period. Thirty (30) days before the annual anniversary date of the loan, the Grantee shall notify the borrower of the interest rate to be charged for the next year (based on 1/2 of Prime at date of notice). The annual interest rate under this flexible option shall never exceed the original interest rate (ceiling) and the Grantee may set a minimum (floor) interest rate of five percent (5%) or less for the duration of the loan.
- The conventional and CSBG loan closings must be within 60 days of each other.
- CSBG Revolving Loan

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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- A) CSBG funds are loaned through Grantees to an Illinois business in a separate but companion agreement to a conventional loan.
- B) The CSBG loan represents no more than forty-nine percent (49%) of the total loan package (combined borrowing and equity).
- C) The conventional loan is obtained from a licensed Illinois lending institution.
- D) The CSBG loan term may not exceed 10 years but may be for a shorter term at the discretion of the Grantee.
- E) CSBG Loan interest rate (Fixed-Flexible option)
- i) The CSBG loan shall have a fixed interest rate of no more than five percent (5%); or
 - ii) At the grantee's option, the interest rate to the borrower may be set at loan inception at a rate not to exceed one-half (1/2) of the Prime Interest Rate (National Prime Rate as shown on that date in the Wall Street Journal). This calculated rate shall become the loan's fixed interest rate for a one year period. Thirty (30) days before the annual anniversary date of the loan, the Grantee shall notify the borrower of the interest rate to be charged for the next year (based on 1/2 of Prime at date of notice). The annual interest rate under this flexible option shall never exceed the original interest rate (ceiling) and the Grantee may set a minimum (floor) interest rate of five percent (5%) or less for the duration of the loan.
- F) The conventional and CSBG loan closings must be within 60 days of each other.

b) Hiring and Job Retention

- 1) Establishing a Pre-Loan Base Number of Employees -- The Grantee shall review the borrower's employment verification records at the time of the loan closing to establish the pre-loan employment level in order to assure that no personnel cuts were made by the business in anticipation of the pending loan and its hiring requirements.
- 2) Hiring Requirements

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- A) Businesses accepting CSBG loan funds must hire at least one new full-time equivalency (minimum 37 1/2 hour work week, averaged annually) CSBG eligible (in accordance with Section 120.120) employee for each \$5,000 or any portion thereof of CSBG monies borrowed
- | | | | |
|----------|----|-----------------|------------|
| Example: | \$ | 1-\$ 5,000 | 1 Job |
| | \$ | 5,001-\$10,000 | 2 Jobs |
| | \$ | 10,001-\$15,000 | 3 Jobs; or |
- Minimum
- B) The Department shall allow, based on presentation of written verifiable jobs (to be created) salary data submitted as part of its loan application, the Grantee to set the amount loaned per job at fifty percent (50%) of the entry level salary for each proposed job up to a maximum of \$15,000 per job. (For example: an entry level salary of \$40,000 would warrant lending of \$15,000; a \$20,000 entry salary would warrant lending of \$10,000; a \$7,000 entry salary would warrant lending of \$3,500.) (No combination of (A) and (B) of this subsection is allowed. The Grantee shall choose one method or the other.)
- C) If part-time employment is involved in the created jobs (under either (A) or (B) of this subsection), the full-time equivalency shall be no more than two employees making up one 37 1/2 hour work week.
- D) A hiring schedule must be a part of each loan agreement. The required hiring must be completed within the first 24 months of the loan, with at least 50% of the new employees hired in the first 12 month period. (For purposes of this hiring timeframe, the loan is considered consummated the date the borrower first receives the loan funds.)
- E) The job positions for CSBG eligible clients created by the loan must be retained and filled by an eligible client for at least 24 months from the date the job was first created. Grantees should attempt to retain the availability of the loan created jobs for CSBG eligible clients over the full loan term by maintaining professional contact (e.g., Job Training Partnership Act job referrals, Targeted Jobs Tax Credit Program) with the business and tracking the jobs. Grantees, through their individual loan agreements, may negotiate more restrictive hiring

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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requirements than stated in subsection (2).

c) Loan Fund Use

CSBG funds loaned may only be used to purchase machinery, equipment or inventory or to provide working capital. CSBG loans may not be used to purchase or improve real property (per Section 120.130 of this Part). This real property restriction does not apply to loans made with "Recaptured Loan Funds" (as described in subsection (h)).

d) Loan Security

Provisions (collateral) shall be made for first position on loan security. If first position is impossible because of the primary lender's claims, the Grantee should negotiate shared position with the private lender. Subordinate position for loan security should be the CAA's last resort. Loan agreements shall contain precise listings and assignment of collateral established as security for the loan.

e) Loan Contract Provisions

Each Grantee's loan contract with a borrower shall clearly, and in detail, specify the following:

- 1) Employment Plan (consisting of mechanism to assure CSBG client eligibility, timeframes, job descriptions);
- 2) Payment Schedule;
- 3) Interest Rate Charged;
- 4) Late Payment Penalty Provision (optional);
- 5) Default Provisions (~~Hiring--and--Payback--i-e--minimum hiring-provisions-may-not-extend-beyond-24-months--and-no more-than-90-days-payment-arrears~~);

A) Events of Default:

- i) Payment Default: a loan shall be considered in default when payment arrearage reaches no more than 90 days.
- ii) Hiring Default: a loan shall be considered in default when the hiring provisions specified in this Part and in the loan contract have not been met.

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B) Default Remedies:

- i) Payment Default: the loan will be called or renegotiated (loan renegotiation approval must be requested of the Department and will be approved when the Grantee's written request states that the renegotiation is the only practical means of loan recovery and/or, will prevent bankruptcy and/or, will prevent a loss of jobs to the local area).
- ii) Hiring Default: an interest acceleration clause shall be a part of each loan contract. At a minimum the clause shall provide that after notice by the Grantee to the borrower that the hiring provisions have not been met, the interest rate for the loan will increase to the National Prime Rate as shown in the Wall Street Journal on date of notice. Such increased rate shall remain in effect until hiring deficiencies have been corrected or the loan is called. Proceeds from the interest penalty shall be treated as repaid principal. (The Department will allow a one-time waiver per loan to the interest acceleration provision when the Grantee, in writing, shows that such acceleration will cause borrower bankruptcy and further loss of jobs and submits a proposed renegotiated hiring schedule that meets the CSBG job creation and hiring requirements through no more than a 24 month extension.);
- 6) Loan Security Provision (The Grantee shall perfect the loan security. For example: hold title to vehicles; secure a mortgage on pledged real property; require Uniform Commercial Code (U.C.C.) (Ill. Rev. Stat. 1989, ch. 26, pars. 1-101 et seq.) filing for pledged equipment, fixtures and inventory.);
- 7) Collateral Description;
- 8) Prepayment Provisions (optional);
- 9) Hiring Schedule;
- 10) Use of Loan (Machinery, Working Capital, Equipment);
- 11) Hiring Noncompliance Penalty (optional);

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12) Other documentation necessary to assure compliance (e.g., hiring reports); and

13) Primary lender - amount - term - interest - collateral.

f) Loan Payment Provisions

1) The interest rate for the CSBG loan shall have a fixed rate not to exceed 5% or an annually adjusted rate as specified in subsection (a)(2)(E).

2) Payment Schedules

A) Payments shall include principal and interest calculated in accordance with standard loan tables.

B) Loan payments shall not be deferred.

C) Grantees, through their individual loan agreements, shall impose a late payment penalty of not less than five percent (5%) of any monthly installment not received from the borrower within fifteen (15) days after the installment is due.

g) Loan Approval Process for Loans Under Current Grants

1) All Grantee CSBG funded loans must be submitted to the Department for approval. The Department's review and determination to approve or disapprove the loan will be given in writing within twenty (20) working days of receipt of a complete set of the loan documents. (Loans submitted for approval after November 15, of any calendar year may take up to forty-five (45) working days for approval.)

2) The loan application documents to be submitted and upon which the decision of the Department will be based, consist of:

A) The loan agreement containing all provisions in compliance with this Part.

B) Application documents:

i) History of the Company - a brief history of the business and past employment growth.

ii) Market Information - information on the company's products or services and identification of existing and potential major

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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customers and competitors.

iii) Corporate Financial Statements - historical corporate financial statements for the past three years and interim statements dated no more than ninety days prior to application including: Profit and Loss Statements, Balance Sheets, Cash Flow Statements, and Disclosure of Contingent Liabilities.

iv) Three Year Projections - three year projections of the Profit and Loss Statement and Balance Sheet and a one year Monthly Cash Flow Projection.

v) Description of Machinery and Equipment (if applicable) - major equipment or classes of equipment to be acquired with the Department's program funds identified; for acquisition of new machinery and equipment, attachments of reliable vendor cost estimates; for moving and installation costs, attachments of written estimates; for used machinery and equipment acquisition, an independent appraisal demonstrating that the fair market value is in line with the purchase price.

vi) Description of Working Capital (if applicable) - a detailed explanation of the need for and use of funds.

vii) Company Management - a listing of those people that are responsible for the management of the company, their positions, and percentages of ownership.

viii) Personal Resumé(s) - a resumé for senior staff at the proposed project site.

ix) Personal Financial Statement - a personal financial statement(s) for each principal owning more than 20 percent of the company.

x) Letters of Commitment - commitment letters documenting all sources of leveraging; loans from financial institutions must have language indicating the loan amount, the specified term and interest, collateral, conditions attendant to the loan, and the fact that the loan is

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

approved; any commitment to purchase a revenue bond must have an executed inducement resolution and the rates, terms, and conditions of approval by the buyer.

- 3) Financial Evaluation Component - The applicant's financial statements, including annual balance sheets and profit and loss statements for the past three years as well as the most recent ninety days; a three year projected balance sheet and profit and loss statement as well as a one year monthly cash flow statement will be reviewed through a standard credit analysis (as prescribed in the Business Credit Analysis Textbook, 1985, published by the National Development Council) which will determine the: liquidity and debt coverage for the project; ability of the company to manage debt; business trends, and projected earnings. This data will be compared to similar data for companies in the same industry using "Robert Morris Associates Annual Statement Studies" (1988 1990) if such industry is evaluated by this source. This standard credit analysis will determine the financial stability of the company. Determination of the loan approval will also be based on compliance with Section 9-4(a), (d), (e), and (f) of the Small Business Development Act (Ill. Rev. Stat. 1989, ch. 127, par. 2709-4(a), (d), (e), and (f)).

h) Loan Approval Process for Recaptured Loan Funds

- 1) All Grantee loans utilizing repaid principal from previous CSBG loans (recaptured loan funds) must be submitted to the Department for approval.
- 2) The Grantee may, at its option, request the Department to review the complete loan application. When this request occurs, the documents upon which the Department will judge its approval or disapproval and the process for this determination will be in accordance with subsection (g) of this Section.
- 3) If the Grantee chooses to conduct its own loan review, the loan document to be submitted and upon which the decision of the Department will be based is the "Pre-Loan Closing Form" which includes the following information:

- A) Grantee Agency name, address and date of submittal;
- B) Name and address of borrowing business;
- C) Loan period;

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- D) Interest rate;
- E) Hiring schedule;
- F) Loan use;
- G) Collateral description and position;
- H) Primary lender, amount, and term; and
- I) Signature of submitting officials.

- 4) The approval, or disapproval of the Department will be based on the loan period, interest rate, hiring schedule, loan use, collateral description and position, and primary lender amount being in compliance with this Part. The "Pre-Loan Closing Form" will have an Approval/Disapproval check box with an explanation section for disapproved submittals and a signature line for the Department's reviewer. This document, with the Department's determination and signature, will be returned to the Grantee within 10 working days of its receipt. (The approval process for loans submitted after November 15, of any calendar year may take up to forty-five (45) working days.)

i) Loan Fund Recovery/Re-Use/Disposition/Reversionary Right

1) Recovery

The repaid loan principal is considered by the Department to be a Community Services Block Grant-related asset, held in trust by the Grantee. The Grantee must place the repaid loan principal in a corporate revolving loan account to continue business assistance efforts in compliance with this Part. This continuation requirement shall be perpetually binding on the Grantee, its successors and assignees until such time as the Department formally negotiates with the agency other CSBG related uses for the recovered loan principal. The interest earned on the CSBG supported business loans is not required to be a part of the perpetuation of the loan program nor subject to the provisions of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1989, ch. 127, pars. 2301 et seq.) and may be used for any corporate purpose.

2) Re-Use

Recaptured principal amounts will be reported quarterly to

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the Department. The Grantee shall actively pursue new business start up or expansion loan opportunities for the recaptured principal (written record of loan attempt activity). When it is found by the Department that recaptured principal has accrued to either \$40,000 or thirty-three percent (33%) of the annual repaid principal amounts (from the previous calendar year excluding any balloon payments), whichever is greater, the excess of these limits will be declared to be lapsed principal. All interest earned on lapsed principal during the year and the excess principal held by the Grantee at the end of the calendar year, shall be payable to the Department, or its designee, Illinois Ventures for Community Action, Inc., (with thirty days written notice) by the end of February in the following calendar year.

3) Disposition

The Grantee may not sell, transfer or in any way dispose of the CSBG funded loans.

4) Reversionary Right

In the event of Grantee termination of funding (as specified in Section 120.55 of this Part) the Grantee's repaid principal loan fund balance and all current loans shall revert to the Department for transfer to the successor (Section 120.60 of this Part) agency.

j) Reporting/Monitoring/Recordkeeping

1) The grantee agency is responsible for monitoring the following provisions of each CSBG supported loan (including loans made with recaptured loan principal):

- A) hiring schedule compliance including CSBG eligibility verification;
- B) replacement of employees;
- C) use of loan monies; and
- D) loan repayment.

2) Loans made with recovered loan principal will be monitored and reported in the same manner as initial CSBG fund loans. The grantee agency monitoring must be completed prior to the Department's quarterly CSBG reporting requirement dates (1/15, 4/15, 7/15 and 10/15). The CSBG quarterly reports

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from the grantee agency will include a completed Quarterly Fund Hiring/Payback status report which provides the following information:

- A) agency name and address, reporting period, and contact person;
 - B) a list of closed projects;
 - C) total number of jobs created using CSBG dollars;
 - D) total number of jobs retained using CSBG dollars;
 - E) timetable for hiring (number to be hired by month, day, and year);
 - F) total number of jobs filled to date (excluding terminations);
 - G) number of CSBG persons hired who are female or minority employees;
 - H) comments regarding the projects (terminations are to be noted here);
 - I) loans totally repaid (name and amount of principal);
 - J) loans presently being repaid (name, monthly principal, and principal to date);
 - K) total principal repaid to date on all loans;
 - L) balance of funds in recaptured account;
 - M) loans made from recaptured funds (business name and CSBG dollar amount); and
 - N) loans delinquent in payback (business name, total amount delinquent, how long delinquent).
- 3) The grantee agency must maintain loan program data (e.g., bank statements, copies of W-4's) to verify information reported quarterly to the Department.
- 4) The Department's program monitoring and annual auditing will include verification of the Grantee's report on the status of each consummated loan.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Professional Engineering Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1380
- 3) Section Numbers: Proposed Action:
1380.230 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111, pars. 5205, 5208.
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking clarifies that an applicant for licensure as a professional engineer may meet experience requirements under supervision of any person legally practicing engineering--not just a licensed professional engineer.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 31, 1991.
- B) Types of small businesses affected: Businesses that employ professional engineers.
- C) Reporting, bookkeeping or other procedures required for compliance: When applying for licensure, an applicant may list experience obtained under supervision of a licensed professional engineer or any person legally practicing engineering.
- D) Types of professional skills necessary for compliance: Professional engineering skills are necessary for licensure.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1380

THE PROFESSIONAL ENGINEERING PRACTICE ACT OF 1989

Section

- 1380.210 Approved Engineering Program
- 1380.220 Definition of Degree in Basic Engineering or Related Science
- 1380.230 Approved Experience
- 1380.240 Application for Enrollment as an Engineer Intern by Examination
- 1380.250 Application for Licensure as a Professional Engineer by Examination
- 1380.260 Examination
- 1380.270 Restoration
- 1380.280 Endorsement
- 1380.285 Inactive Status
- 1380.290 Corporations and Partnerships
- 1380.300 Standards of Professional Conduct
- 1380.310 Renewals
- 1380.320 Granting Variances
- 1380. Appendix A Significant Dates for the Administration of Section 19 of the Act - Endorsement

AUTHORITY: Implementing The Professional Engineering Practice Act of 1989 (Ill. Rev. Stat. 1989, ch. 111, par. 5201 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127 par. 60(7)).

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Professional Engineering Act, effective March 10, 1976; codified at 5 Ill. Reg. 11055; 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; repealed at 9 Ill. Reg. 10038, effective June 18, 1985; new Part adopted at 9 Ill. Reg. 10040, effective June 18, 1985; amended at 10 Ill. Reg. 19507, effective November 5, 1986; amended at 11 Ill. Reg. 8767, effective April 20, 1987; recodified from Chapter I, 68 Ill. Adm. Code 380 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1380 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2942; amended at 14 Ill. Reg. 247, effective December 28, 1990; amended at 15 Ill. Reg. effective

DEPARTMENT OF PROFESSIONAL REGULATION

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Section 1380.230 Approved Experience

- a) Each individual application shall be reviewed by the Board to determine if the applicant's submitted experience meets the requirements for licensure described in this Section. All experience shall have been acquired after receipt of the baccalaureate degree except as provided in subsection (3) and (4) below.
 - 1) Credit for one year of experience shall be given for completion of a graduate study resulting in a master's degree in engineering, except as credited under Section 1380.220(d).
 - 2) Credit for two years of experience shall be given for completion of a graduate study resulting in a doctor's degree in engineering. The maximum credit for graduate study shall be two years, except as credited under Section 1380.220(d).
 - 3) Credit for one year of experience shall be given for a graduate of a university certified cooperative program, which is a supervised industrial or field experience of at least one calendar year which alternates with periods of full-time academic training.
 - 4) As provided for in Section 8(b)(2) of the Act, credit for professional engineering experience earned PRIOR TO receipt of a baccalaureate degree shall be given if the experience is full-time and if the applicant takes eight or more years to earn the degree as a part-time student.
 - 5) Experience shall be under the supervision of a licensed professional engineer or a person legally practicing engineering pursuant to Section 3 of the Act who verifies the number of years during which the applicant was doing work at a professional level, and the manner in which the work prepares the applicant for licensure as a professional engineer.
 - 6) Credit for all necessary experience or any remaining experience shall only be given for actual experience in the practice of professional engineering. Such experience shall be within the definition of the practice as set forth in Section 4(c) of the Act, shall require the application of technical knowledge and professional engineering principles, and shall become progressively more complex. In at least the last two years of experience, the applicant shall have had responsibility for the accomplishment of the work.
- b) While an applicant may receive either experience credit, education credit or both, he may not receive more than one year's total credit for any one year (i.e., overlapping experience and education will be credited to one or the other category but not both).

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Veterinary Medicine and Surgery Practice Act

2) Code Citation: 68 Ill. Adm. Code 1500

3) Section Numbers:

1500.25	Amendment
1500.35	Amendment
1500.45	Amendment

Proposed Action:

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111, pars. 7006, 7015, 7016, 7025.11.

5) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes pre renewal periods during which veterinarians must complete continuing education requirements to renew their licenses.

For the January 31, 1993, renewal, the Department shall accept continuing education completed from December 1, 1990 to December 31, 1992. Thereafter, the continuing education shall be completed during the pre renewal period, which is defined as the 24 months preceding January 1 in the year of the renewal.

Language also is being added to require proof of completion of the continuing education requirement before an expired license will be reinstated or restored.

New renewal language states that practicing after a license has expired shall be considered the unlicensed practice of veterinary medicine and subject to discipline defined in the Act.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 31, 1991.

B) Types of small businesses affected: Veterinary businesses.

C) Reporting, bookkeeping or other procedures required for compliance: When renewing, reinstating, or restoring a license, a veterinarian will need to show that continuing education requirements have been met.

D) Types of professional skills necessary for compliance: Veterinary skills are necessary for licensure.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1500
VETERINARY MEDICINE AND SURGERY PRACTICE ACT

Section

- 1500.5 Approved Veterinary Medicine and Surgery Programs
- 1500.10 Application for Examination by Graduates of Approved Programs
- 1500.11 Application by Graduates of Unapproved Programs
- 1500.15 Temporary Permit
- 1500.20 Examination
- 1500.25 Continuing Education
- 1500.30 Endorsement
- 1500.35 Reinstatement/Restoration
- 1500.45 Renewals
- 1500.50 Standards of Professional Conduct
- 1500.55 Advertising
- 1500.60 Conduct of Hearings
- 1500.65 Annual Report of Board
- 1500.70 Granting Variances

AUTHORITY: Implementing the Veterinary Medicine and Surgery Practice Act of 1983 (Ill. Rev. Stat. 1989, ch. 111, par. 7001 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 60(7)).

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Veterinary Medicine and Surgery Practice Act, effective January 1, 1984; amended at 2 Ill. Reg. 23, p. 13, effective June 10, 1978; codified at 5 Ill. Reg. 11070; amended at 6 Ill. Reg. 2004, effective January 30, 1983; Part Repealed, New Part Adopted at 9 Ill. Reg. 16327, effective October 10, 1985; amended at 11 Ill. Reg. 20966, effective December 9, 1987; transferred from Chapter I, 68 Ill. Adm. Code 500 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1500 (Department of Professional Regulation) pursuant to P.A. 85-225 effective January 1, 1988, at 12 Ill. Reg. 2982; amended at 13 Ill. Reg. 3826, effective March 10, 1989; amended at 15 Ill. Reg. _____ effective _____

DEPARTMENT OF PROFESSIONAL REGULATION
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Section 1500.25 Continuing Education

a) Continuing Education Hours Requirements

- 1) Each person who applies for renewal of his license as a veterinarian is required to complete 20 hours of continuing education relevant to the practice of veterinary medicine and surgery during the prerenewal period.
 - 2) A prerenewal period is the 24 months preceding ~~December 1~~ January 1 in the year ~~prior to~~ of the renewal. For the January 31, 1993, renewal the Department shall accept continuing education completed from December 1, 1990 to December 31, 1992. Thereafter the continuing education shall be completed during the prerenewal period.
 - 3) A renewal applicant is not required to comply with Continuing Education (CE) requirements for the first renewal.
- b) Approved CE Programs
- 1) CE credit may be earned for verified attendance at or participation in any program given by one of the following sponsors:
 - A) An approved veterinary program, as provided in Section 1500.5;
 - B) The American Veterinary Medical Association or any of its constituent organizations;
 - C) The Illinois State Veterinary Medical Association or any other state or provincial veterinary medical association;
 - D) The American Animal Hospital Association; and
 - E) Programs provided by, or appropriate for veterinary specialty organizations.
 - F) Any other program that the Department determines to be substantially equivalent to the programs listed above.
 - 2) CE credit may also be earned for completion of self assessment examinations in Compendium, or in completing any other substantially equivalent method of self-study.

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- 3) Continuing education credit hours used to satisfy the CE requirements of another state may be applied to fulfillment of the CE requirements of the State of Illinois.
- c) Attendance records to be kept by Sponsor
 - 1) It shall be the responsibility of a sponsor to keep accurate attendance records.
 - 2) The sponsor shall maintain these records for not less than 5 years.

d) Certification of Compliance with CE Requirements

- 1) Each renewal applicant shall certify, on his renewal application, to full compliance with the CE requirements set forth in subsection (a), above.
- 2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance.

e) Waiver of CE Requirements

- 1) Any renewal applicant seeking renewal of his license or certificate without having fully complied with these CE requirements shall file with the Department a renewal application, a statement setting forth the facts concerning such noncompliance, a request for waiver of the CE requirements on the basis of such facts and, if desired, a request for an interview before the Committee. If the Department finds from such statement or any other evidence submitted, that good cause has been shown for granting a waiver of the CE requirements, or any part thereof, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied. At that time, the renewal applicant will be requested to submit the required renewal fee.
- 2) Good cause shall be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
 - A) full time service in the armed forces of the United States of America during a substantial part of such period;

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- B) an incapacitating illness; or
- C) undue hardship.
- 3) If an interview is requested at the time the request for such waiver is filed with the Department, the renewal applicant shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1500.35 Reinstatement/Restoration

- a) A licensee seeking reinstatement of his license which has expired for less than 5 years shall have his license reinstated upon payment of \$10 plus all lapsed renewal fees as specified in Section 14 of the Act and proof of completion of the continuing education requirements for a single renewal period. However, a licensee seeking reinstatement of his license within 2 years after termination of military service as provided in Section 15 of the Act shall, upon submission of an affidavit attesting to such service, be excused from the payment of any fees.
- b) A licensee seeking restoration of his license which has expired for more than 5 years shall file an application, on forms supplied by the Department, together with the fee specified in Section 14 of the Act. The licensee shall also submit either:
 - 1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice; or
 - 2) An affidavit attesting to military service as provided in Section 15 of the Act; or
 - 3) Evidence of other experience within the profession, other than active practice (such as research, teaching, or publishing) during the time which his license was expired, and proof of completion of the continuing education requirements for a single renewal period.
- c) A licensee seeking restoration of his license which has been on inactive status shall file an application, on forms provided by the Department, together with proof completion of the continuing education requirements for a single renewal period and the current renewal fee.

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NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: MEDICAL ASSISTANCE PROGRAMS

2) Code Citation: 89 Ill. Adm. Code 120

3) Section Number: Proposed Action:

120.61 Amendment

4) Statutory Authority: Sections 5-4 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-4 and 12-13)

5) A Complete Description of the Subjects and Issues Involved: As a result of Section 8003 of P.L. 101-508, this rulemaking adds language regarding the use of a \$90 month income disregard for veterans residing in Long Term Care facilities who receive reduced monthly Veterans benefits in the amount of \$90, and who do not have a spouse or dependent child. Veterans receiving this income disregard are not permitted the \$30 per month allowance. This income disregard expires on September 30, 1991.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐

8) Does this Proposed Amendment contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

120.11 Amendment April 19, 1991 (15 Ill. Reg. 5551)

120.12 Amendment April 26, 1991 (15 Ill. Reg. 6089)

120.31 Amendment April 19, 1991 (15 Ill. Reg. 5551)

120.60 Amendment April 19, 1991 (15 Ill. Reg. 5551)

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d) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course, work or experience is reasonably questioned by the Department because of discrepancies or conflicts in information, information needing further clarification and/or missing information, the licensee will be requested to:

- 1) provide such information as may be necessary; and/or
- 2) explain such relevance or sufficiency during an oral interview; or

3) appear before the Board for an oral interview designed to determine the individual's current competence to practice veterinary medicine and surgery.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 1500.45 Renewals

a) Every license as a veterinarian issued under the Act shall expire on January 31 of each odd numbered year. The holder of a license may renew such license or certificate during the month preceding the expiration date thereof by paying the required fee and completion of the continuing education requirements set forth in Section 1500.25.

b) It is the responsibility of each registrant to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee.

c) Practicing after a license has expired shall be considered the unlicensed practice of veterinary medicine and subject to discipline pursuant to Section 25 of the Act.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217)782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

Section Numbers	Proposed Action	Illinois Register Citation
120.64	Amendment	April 19, 1991 (15 Ill. Reg. 5551)
120.65	New Section	February 22, 1991 (15 Ill. Reg. 2908)
120.208	Amendment	April 19, 1991 (15 Ill. Reg. 5551)
120.235	Amendment	April 19, 1991 (15 Ill. Reg. 5551)
120.281	Amendment	April 19, 1991 (15 Ill. Reg. 5551)
120.319	Amendment	January 25, 1991 (15 Ill. Reg. 833)
120.320	Amendment	January 25, 1991 (15 Ill. Reg. 833)
120.321	Amendment	January 25, 1991 (15 Ill. Reg. 833)
120.322	Amendment	January 25, 1991 (15 Ill. Reg. 833)
120.323	Amendment	January 25, 1991 (15 Ill. Reg. 833)
120.335	Amendment	April 19, 1991 (15 Ill. Reg. 5551)
120.370	Amendment	May 10, 1991 (15 Ill. Reg. 6937)
120.386	Amendment	May 17, 1991 (15 Ill. Reg. 7468)
120.390	Amendment	April 19, 1991 (15 Ill. Reg. 5551)
120.391	Amendment	April 19, 1991 (15 Ill. Reg. 5551)

- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
120.1

Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section
120.10
120.11

Eligibility For Medical Assistance
Eligibility For Medical Assistance For Pregnant
Women and Children Under Age Six Who Do Not Qualify
As Mandatory Categorically Needy
MANG(AABD) Income Standard
MANG(C) Income Standard
MANG(P) Income Standard
Exceptions To Use Of MANG Income Standard
AMI Income Standard

120.20
120.30
120.31
120.40
120.50

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section
120.60

All Cases Other Than Intermediate Care, Skilled
Nursing Care, DMHDD, DMHDD Approved Community Based
Settings and Pregnant Women and Children Under Age
Six Who Do Not Qualify As Mandatory Categorically
Needy

120.61
Cases in Intermediate Care, Skilled Nursing Care and
DMHDD - MANG(AABD) and All Other Licensed Medical
Facilities
120.62
Department of Mental Health and Developmental
Disabilities (DMHDD) Approved Home and Community
Based Residential Settings Under 89 Ill. Adm. Code
140.643

120.63
Department of Mental Health and Developmental
Disabilities (DMHDD) Approved Home and Community
Based Residential Settings
120.64
Pregnant Women and Children Under Age Six Years Who
Do Not Qualify As Mandatory Categorically Needy

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SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

Section
120.70

Supplementary Medical Insurance Benefits, Buy-In
Program

120.72

Eligibility for Medicare Cost Sharing as a Qualified
Medicare Beneficiary (QMB)

120.74
120.76

Qualified Medicare Beneficiary (QMB) Income Standard
Hospital Insurance Benefits (HIB)

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section
120.80

Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section
120.90
120.91

Migrant Medical Program
Income Standards

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section
120.208
120.210
120.211
120.212

Client Cooperation
Citizenship
Residence
Age

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120.218
120.224
120.225
120.230

Relationship
Living Arrangement
Supplemental Payments
Institutional Status
Foster Care Program
Social Security Numbers
Unearned Income

120.235
120.236
120.240
120.245
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120.260
120.261
120.262
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120.271
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120.273

Exempt Unearned Income
Education Benefits
Unearned Income In-Kind
Earmarked Income
Lump Sum Payments and Income Tax Refunds
Protected Income
Earned Income
Budgeting Earned Income
Exempt Earned Income
Recognized Employment Expenses
Income From Work/Study/Training Program
Earned Income From Self-Employment
Earned Income From Roomer and Boarder

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Section
 120.275 Earned Income In-Kind
 120.276 Payments from the Illinois Department of Children
 and Family Services
 120.280 Assets
 120.281 Exempt Assets
 120.282 Asset Disregards
 120.283 Deferral of Consideration of Assets
 120.284 Spend-down of Assets (AMI)
 120.285 Property Transfers
 120.290 Persons Who May Be Included in the Assistance Unit
 120.295 Payment Levels for AMI

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section
 120.308 Client Cooperation
 120.309 Caretaker Relative
 120.310 Citizenship
 120.311 Residence
 120.312 Age
 120.313 Blind
 120.314 Disabled
 120.315 Relationship
 120.316 Living Arrangements
 120.317 Supplemental Payments
 120.318 Institutional Status
 120.319 Assignment of Rights to Medical Support and
 Collection of Payment
 120.320 Cooperation in Establishing Paternity and Obtaining
 Medical Support
 120.321 Good Cause for Failure to Cooperate in Establishing
 Paternity and Obtaining Medical Support
 120.322 Proof of Good Cause for Failure to Cooperate in
 Establishing Paternity and Obtaining Medical Support
 120.323 Suspension of Paternity Establishment and Obtaining
 Medical Support Upon Finding Good Cause
 Foster Care Program
 120.324 Social Security Numbers
 120.325 Social Security Income
 120.330 Unearned Income
 120.332 Budgeting Unearned Income
 120.335 Exempt Unearned Income
 120.336 Education Benefits
 120.338 Incentive Allowance
 120.340 Unearned Income In-Kind
 120.342 Court Ordered Child Support Payments of Parent/Step-
 Parent
 120.345 Earmarked Income

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Section
 120.346 Medicaid Qualifying Trusts
 120.350 Lump Sum Payments and Income Tax Refunds
 120.355 Protected Income
 120.360 Earned Income
 120.361 Budgeting Earned Income
 120.362 Exempt Earned Income
 120.364 Earned Income Exemption
 120.366 Exclusion From Earned Income Exemption
 120.370 Recognized Employment Expenses
 120.371 Income From Work/Study/Training Programs
 120.372 Earned Income From Self-Employment
 120.373 Earned Income From Roomer and Boarder
 120.375 Earned Income In Kind
 120.376 Payments from the Illinois Department of Children
 and Family Services
 120.379 Assessment of Assets
 120.380 Assets
 120.381 Exempt Assets
 120.382 Asset Disregard
 120.383 Deferral of Consideration of Assets
 120.384 Spend-down of Assets (MANG)
 120.385 Property Transfers for Applications Filed Prior to
 October 1, 1989
 120.386 Property Transfers Effective for Applications Filed
 on or After October 1, 1989
 120.390 Persons Who May Be Included in the Assistance Unit
 120.391 Individuals Under Age 18 Who Do Not Qualify For
 AFDC/AFDC-MANG And Children Under Age Six
 120.392 Pregnant Women Who Would Not Be Eligible For
 AFDC/AFDC-MANG If The Child Were Already Born Or Who
 Do Not Qualify As Mandatory Categorically Needy
 Pregnant Women And Children Under Age Eight Years
 Who Do Not Qualify As Mandatory Categorically Needy
 Demonstration Project.
 120.395 Payment Levels for MANG
 120.399 Redetermination of Eligibility

AUTHORITY: Implementing Articles III, IV, V, VI and VII and
 authorized by Section 12-13 of the Illinois Public Aid Code
 (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq.,
 5-1 et seq., 6-1 et seq., 7-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory
 amendment at 2 Ill. Reg. 17, p. 117, effective February 1,
 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5,
 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective
 August 30, 1978, for a maximum of 150 days; peremptory
 amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978;

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peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20,

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1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987;

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amended at 12 Ill. Reg. 904, effective January 1, 1986; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

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SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section 120.61 Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG (AABD) and All Other Licensed Medical Facilities

a) The policy set forth in subsections (b), (c), and (d) and (e) below applies to cases receiving care in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, or Department of Mental Health and Developmental Disabilities (DMHDD) Facilities. The policy set forth in subsection (e) (f) below applies to cases receiving care in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, DMHDD Facilities and all other Licensed Medical Facilities (see 89 Ill. Adm. Code 140.642).

b) Treatment of Resources

1) A one-month eligibility period will be used. All nonexempt income and non-exempt assets over the applicable asset disregard (Section 120.382) shall be applied towards the cost of care on a monthly basis. Non-exempt income (see Section 120.360) and assets (see 120.381) are applied towards the cost of care beginning with the first full calendar month of anticipated stay in the facility. Non-exempt income shall be applied toward the cost of care first. If insufficient to meet the cost of care at the private pay rate, then non-exempt assets over the applicable asset disregard shall be used.

2) When a client transfers between non-DMHDD facilities or transfers to a DMHDD facility, non-exempt income and/or excess assets are applied first toward the cost of care at the first facility and any balance is applied toward the cost of care at the second facility. If the client transfers from a DMHDD facility to a non-DMHDD facility, non-exempt income and/or excess assets are not applied toward the cost of care at the non-DMHDD facility for the month the transfer occurs. If the client is discharged from a DMHDD facility or non-DMHDD facility to his/her residence in the community or to a community based residential setting (such as Community Living Facility, Special Home Placement, Supported Living Arrangement, Home

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Section 120.61

Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG (AABD) and All Other Licensed Medical Facilities (Cont'd)

Individual Program, Community Residential Alternatives as defined at 59 Ill. Adm. Code 120.10), the MANG Community Income Standard is used (see Section 120.20) beginning with the month of discharge from the DMHDD facility or non-DMHDD.

- 3) If non-exempt income and non-exempt assets over the applicable asset disregard are greater than the Department's rate for cost of care, no payment will be made to the facility. However, the client may become eligible for Medical Assistance for other medical expenses by incurring medical expenses equal to the spend-down obligation. The private rate of the facility may be applied to the spend-down obligation in this instance. A full redetermination shall be made every twelve (12) months.

- c) Allow a deduction from the MANG client's income to meet the needs of dependent children under age 21 who do not reside with the community spouse, who do not have enough income to meet their needs and whose assets do not exceed the asset limit. To determine needs and asset limits:

- 1) for dependent children, use AFDC MAG standard and asset disregard (see Sections 120.30 and 120.382).

- 2) allow any payments made on medical bills for the children.

- d) Allow deductions from the MANG clients non-SSI income for a Community Spouse Maintenance Needs Allowance and a Family Maintenance Needs Allowance for each dependent family member who does not have enough income to meet his/her needs. Family members include dependent children under age 21, dependent adult children, dependent parents or dependent siblings of either spouse who are living with the community spouse. To determine the amount of the deduction:

- 1) The deduction for the Community Spouse Maintenance Needs Allowance, as of October 1,

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Section 120.61

Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG (AABD) and All Other Licensed Medical Facilities (Cont'd)

1989, is equal to the community spouse maintenance needs standard (\$1,500) less any non-exempt monthly income of the community spouse. The amount established as the community spouse maintenance needs standard shall be increased for calendar years after 1989 by the same percentage as the percentage increase in the consumer price index for all urban consumers. The deduction is allowed only to the extent income of the institutionalized spouse is contributed to the community spouse. However, the deduction for the Community Spouse Maintenance Needs Allowance shall not be less than the amount ordered by the court for support of the community spouse or the amount determined as the result of the fair hearing.

- 2) The deduction for the Family Maintenance Needs Allowance for each dependent family member is equal to one-third of the difference between the family maintenance needs standard (122% of the Federal Poverty Level for two persons as of September 30, 1989, 133% as of July 1, 1991 and 150% as of July 1, 1992) and any non-exempt income of the family member.

- e) Allow a \$90.00 per month income disregard for veterans residing in long term care facilities who receive reduced monthly veterans benefits in the amount of \$90.00 and who do not have a spouse or dependent child. Veterans allowed the \$90.00 per month income disregard are not also permitted the \$30.00 per month personal allowance (see Section 120.40).

- e)f) Deduction from MANG program

- 1) A deduction from the MANG program participant's income shall be permitted for up to six months to maintain a residence in the community when:
 - A) the individual does not have a spouse and/or dependent children in the home; and
 - B) a physician has certified that the stay in the facility is temporary and the individual

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Section 120.61

Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG (AABD) and All Other Licensed Medical Facilities (Cont'd)

is expected to return home within six months.

2) To determine the amount of the deduction include:

- A) rent or property expense that would be allowed in the AABD MAG standard if the individual was at home; and
- B) utility expenses that would be allowed in the AABD MAG standard if the individual was at home.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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1) The Heading of the Part: MEDICAL PAYMENT

2) Code Citation: 89 Ill. Adm. Code 140

3) Section Number: 140.569
Proposed Action: Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved: There are two proposed changes in the rule. The first, Section 140.569(a)(1), removes the reference to QUIP and lists the specific points that define substantial compliance. These points match the basic eligibility criteria for QUIP with one exception, the facility does not have to be licensed under the Nursing Home Care Act. This will allow hospital based long term care facilities, that are not licensed under the Nursing Home Care Act, to apply for participation in the Exceptional Care Program.

The second, Section 140.569(1)(3), is intended to allow the Exceptional Care staff to waive a review only if previous assessments justify the appropriateness. On site assessments have shown that the level of care, and related costs of some of the residents' care, stabilizes after the first several months in the facility. In such cases, as long as the Exceptional Care nurse believes the quality of care would not be compromised, this change would give the nurse the option to waive that particular assessment.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No

8) Does this Proposed Amendment contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

140.3 Amendment April 19, 1991
(15 Ill. Reg. 5585)

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Section Numbers Proposed Action Illinois Register Citation

140.7	Amendment	April 19, 1991 (15 Ill. Reg. 5585)
140.11	Amendment	May 10, 1991 (15 Ill. Reg. 6949)
140.17	Amendment	November 30, 1990 (14 Ill. Reg. 18982)
140.71	Amendment	December 21, 1990 (14 Ill. Reg. 20170)
140.420	Amendment	February 1, 1991 (15 Ill. Reg. 1414)
140.421	Amendment	February 1, 1991 (15 Ill. Reg. 1414)
140.460	Amendment	May 25, 1990 (14 Ill. Reg. 4903)
140.461	Amendment	May 25, 1990 (14 Ill. Reg. 4903)
140.462	Amendment	May 25, 1990 (14 Ill. Reg. 4903)
140.463	Amendment	May 25, 1990 (14 Ill. Reg. 4903)
140.465	Repealed	May 25, 1990 (14 Ill. Reg. 4903)
140.560	Amendment	April 19, 1991 (15 Ill. Reg. 5585)
140.561	Amendment	May 17, 1991 (15 Ill. Reg. 7482)
140.646	Amendment	May 10, 1991 (15 Ill. Reg. 6949)
140.850	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.855	New Section	December 14, 1990 (14 Ill. Reg. 19592)

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Section Numbers Proposed Action Illinois Register Citation

140.860	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.865	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.870	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.875	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.880	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.885	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.890	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.895	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.Table D	Amendment	February 1, 1991 (15 Ill. Reg. 1414)
140.Table K	New Section	December 14, 1990 (14 Ill. Reg. 19592)
140.Table L	New Section	December 14, 1990 (14 Ill. Reg. 19592)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Myron Brigran, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

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12) Initial Regulatory Flexibility Analysis:

- A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 30, 1991
- B) Types of small businesses affected: Long Term Care Facilities.
- C) Reporting, bookkeeping or other procedures required for compliance: None.
- D) Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section
140.1
140.2
140.3

Incorporation By Reference
Medical Assistance Programs
Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)

140.5 Covered Medical Services Under GA and AMI
140.6 Medical Services Not Covered
140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Six

140.8 Medical Assistance For Qualified Severely Impaired Individuals

140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy

140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section
140.11 Enrollment Conditions for Medical Providers
140.12 Participation Requirements for Medical Providers
140.13 Definitions
140.14 Denial of Application to Participate in the Medical Assistance Program
140.15 Recovery of Money
140.16 Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

Enrollment Conditions for Medical Providers
Participation Requirements for Medical Providers
Definitions
Denial of Application to Participate in the Medical Assistance Program
Recovery of Money
Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program
Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

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Section
140.18 Effect of Termination on Individuals Associated with Vendor
140.19 Application to Participate or for Reinstatement
140.20 Subsequent to Termination, Suspension or Barring
140.21 Submittal of Claims
140.22 Covered Medicaid Services for Qualified Medicare
140.23 Beneficiaries (QMBs)
140.24 Magnetic Tape Billings
140.25 Payment of Claims
140.26 Payment Procedures
140.27 Overpayment or Underpayment of Claims
140.28 Payment to Factors Prohibited
140.29 Assignment of Vendor Payments
140.30 Record Requirements for Medical Providers
140.31 Audits
140.32 False Reporting and Other Fraudulent Activities
140.33 Prior Approval for Medical Services or Items
140.34 Prior Approval in Cases of Emergency
140.35 Limitation on Prior Approval
140.36 Post Approval for Items or Services When Prior
140.37 Approval Cannot Be Obtained
140.38 Drug Manual (Recodified)
140.39 Drug Manual (Recodified)
140.40 Drug Manual Updates (Recodified)
140.41
140.42
140.43
140.71
140.72
140.73

SUBPART C: HOSPITAL SERVICES

Section
140.94 Hospital Services (Recodified)
140.95 Participation (Recodified)
140.96 General Requirements (Recodified)
140.97 Special Requirements (Recodified)
140.98 Covered Hospital Services (Recodified)
140.99 Hospital Services Not Covered (Recodified)
140.100 Limitation On Hospital Services (Recodified)
140.101 Transplants (Recodified)
140.102 Heart Transplants (Recodified)
140.103 Liver Transplants (Recodified)
140.104 Bone Marrow Transplants (Recodified)
140.110 Disproportionate Share Hospital Adjustments
(Recodified)
140.116 Payment for Inpatient Services for GA (Recodified)
140.117 Hospital Outpatient and Clinic Services (Recodified)
140.200 Payment for Hospital Services During Fiscal Year
1982 (Recodified)
140.201 Payment for Hospital Services After June 30, 1982
(Repealed)

Section
140.202 Payment for Hospital Services During Fiscal Year
1983 (Recodified)
140.203 Limits on Length of Stay by Diagnosis (Recodified)
140.300 Payment for Pre-operative Days and Services Which
Can Be Performed in an Outpatient Setting
(Recodified)
140.350 Copayments (Recodified)
140.360 Payment Methodology (Recodified)
140.361 Non-Participating Hospitals (Recodified)
140.362 Pre July 1, 1989 Services (Recodified)
140.363 Post June 30, 1989 Services (Recodified)
140.364 Prepayment Review (Recodified)
140.365 Base Year Costs (Recodified)
140.366 Restructuring Adjustment (Recodified)
140.367 Inflation Adjustment (Recodified)
140.368 Volume Adjustment (Repealed)
140.369 Groupings (Recodified)
140.370 Rate Calculation (Recodified)
140.371 Payment (Recodified)
140.372 Review Procedure (Recodified)
140.373 Utilization (Repealed)
140.374 Alternatives (Recodified)
140.375 Exemptions (Recodified)
140.376 Utilization, Case-Mix and Discretionary Funds
(Repealed)
140.390 Subacute Alcoholism and Substance Abuse Services
(Recodified)
140.391 Definitions (Recodified)
140.392 Types of Subacute Alcoholism and Substance Abuse
Services (Recodified)
140.394 Payment for Subacute Alcoholism and Substance Abuse
Services (Recodified)
140.396 Rate Appeals for Subacute Alcoholism and Substance
Abuse Services (Recodified)
140.398 Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section
140.400 Payment to Practitioners, Nurses and Laboratories
140.410 Physicians' Services
140.411 Covered Services By Physicians
140.412 Services Not Covered By Physicians
140.413 Limitation on Physician Services
140.414 Requirements for Prescriptions and Dispensing of
Pharmacy Items - Physicians
140.416 Optometric Services and Materials
140.417 Limitations on Optometric Services

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Section	
140.418	Department of Corrections Laboratory
140.420	Dental Services
140.421	Limitations on Dental Services
140.422	Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists
140.425	Podiatry Services
140.426	Limitations on Podiatry Services
140.427	Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry
140.428	Chiropractic Services
140.429	Limitations on Chiropractic Services (Repealed)
140.430	Independent Laboratory Services
140.431	Services Not Covered by Independent Laboratory
140.432	Limitations on Independent Laboratory Services
140.433	Payment for Laboratory Services
140.434	Record Requirements for Independent Laboratories
140.435	Nurse Services
140.436	Limitations on Nurse Services
140.440	Pharmacy Services
140.441	Pharmacy Services Not Covered
140.442	Prior Approval of Prescriptions
140.443	Filling of Prescriptions
140.444	Compounded Prescriptions
140.445	Prescription Items (Not Compounded)
140.446	Over-the-Counter Items
140.447	Reimbursement
140.448	Returned Pharmacy Items
140.449	Payment of Pharmacy Items
140.450	Record Requirements for Pharmacies
140.452	Mental Health Clinic Services
140.453	Definitions
140.454	Types of Mental Health Clinic Services
140.455	Payment for Mental Health Clinic Services
140.456	Hearings
140.460	Clinic Services
140.461	Clinic Participation Requirements (Emergency Expired)
140.462	Covered Services in Clinics (Emergency Expired)
140.463	Encounter Rate Clinic Payment (Emergency Expired)
140.464	Psychiatric Clinics (Hospital-based)
140.465	Speech and Hearing Clinics
140.466	Rural Health Clinics
140.467	Independent Clinics
140.469	Hospice
140.470	Home Health Services
140.471	Home Health Covered Services
140.472	Types of Home Health Services
140.473	Prior Approval for Home Health Services
140.474	Payment for Home Health Services

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Section	
140.475	Medical Equipment, Supplies and Prosthetic Devices
140.476	Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made
140.477	Limitations on Equipment, Supplies and Prosthetic Devices
140.478	Prior Approval for Medical Equipment, Supplies and Prosthetic Devices
140.479	Approval of Medical Supplies
140.480	Equipment Rental Limitations
140.481	Payment for Medical Equipment, Supplies and Prosthetic Devices
140.482	Family Planning Services
140.483	Limitations on Family Planning Services
140.484	Payment for Family Planning Services
140.485	Healthy Kids Program
140.486	Limitations on Medichesk Services (Repealed)
140.487	Healthy Kids Program Timeliness Standards
140.488	Periodicity Schedule, Immunizations and Diagnostic Laboratory Procedures
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8

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Reg. 15211, effective September 12, 1986; emergency amendment at 10 I.I. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 I.I. Reg. 18808, effective October 11, 1986; amended at 10 I.I. Reg. 19742, effective November 12, 1986; amended at 10 I.I. Reg. 21784, effective December 15, 1986; amended at 11 I.I. Reg. 698, effective December 19, 1986; amended at 11 I.I. Reg. 1418, effective December 31, 1986; amended at 11 I.I. Reg. 2323, effective January 16, 1987; amended at 11 I.I. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 I.I. Adm. Code 141 at 11 I.I. Reg. 4302; amended at 11 I.I. Reg. 4303, effective March 6, 1987; amended at 11 I.I. Reg. 7664, effective April 15, 1987; emergency amendment at 11 I.I. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 I.I. Reg. 9169, effective April 28, 1987; amended at 11 I.I. Reg. 10903, effective June 1, 1987; amended at 11 I.I. Reg. 11528, effective June 22, 1987; amended at 11 I.I. Reg. 12011, effective June 30, 1987; amended at 11 I.I. Reg. 12290, effective July 6, 1987; amended at 11 I.I. Reg. 14048, effective August 14, 1987; amended at 11 I.I. Reg. 14771, effective August 25, 1987; amended at 11 I.I. Reg. 16758, effective September 28, 1987; amended at 11 I.I. Reg. 17295, effective September 30, 1987; amended at 11 I.I. Reg. 18696, effective October 27, 1987; amended at 11 I.I. Reg. 20909, effective December 14, 1987; amended at 12 I.I. Reg. 916, effective January 1, 1988; emergency amendment at 12 I.I. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 I.I. Reg. 5427, effective March 15, 1988; amended at 12 I.I. Reg. 6246, effective March 16, 1988; amended at 12 I.I. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140. Table H and 140. Table I recodified to 89 I.I. Adm. Code 147.5 thru 147.205 and 147. Table A and 147. Table B at 12 I.I. Reg. 6956; amended at 12 I.I. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 I.I. Adm. Code 149.5 thru 149.325 at 12 I.I. Reg. 7401; amended at 12 I.I. Reg. 7695, effective April 21, 1988; amended at 12 I.I. Reg. 10497, effective June 3, 1988; amended at 12 I.I. Reg. 10717, effective June 14, 1988; emergency amendment at 12 I.I. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 I.I. Reg. 12509, effective July 15, 1988; amended at 12 I.I. Reg. 14271, effective August 29, 1988; emergency amendment at 12 I.I. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 I.I. Reg. 17638, effective October 5, 1988; amended at 12 I.I. Reg. 17879, effective October 24, 1988; amended at 12 I.I. Reg. 18198, effective November 4, 1988; amended at 12 I.I. Reg. 19396, effective November 6, 1988; amended at 12 I.I. Reg. 19734, effective November 15, 1988; amended at 13 I.I. Reg.

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125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813,

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effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART E: GROUP CARE

Section 140.569 Clients With Exceptional Care Needs

a) Exceptional Care Program

- 1) Pursuant to Section 5-5A of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-5A), the Department may make payments to nursing facilities which substantially meet licensure and certification requirements as may be prescribed by the Department of Public Health. For purposes of this Section, substantial compliance shall mean: ~~compliance with eligibility standards required of providers under the Department's QHIP program, Section 140.525(b).~~
 - A) facility does not have Type A violation(s);
 - B) facility is currently enrolled in the Medical Assistance Program;
 - C) facility is licensed by the Department of Public Health;
 - D) facility does not have a conditional license;
 - E) facility must provide reasonable access to Medicaid patients. Access will be considered reasonable when:
 - i) Medicaid recipients constitute at least 25% of the facility's average daily census; or

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)

- ii) the proportion of Medicaid recipients in the census has increased at least two percentage points over the previous year; or
- iii) the facility can demonstrate that it admits patients without regard to income or Medicaid eligibility or to some other criteria which in essence prioritize admissions on the basis of financial resources. The basis for determining priority of admission must be expressed in policy. Records documenting consistent application of the policy must be maintained.

F) facility meets at least 92% of patient needs based on the last IOC assessment conducted.

- 2) The Department may, but is not required to, enter into contracts with facilities offering exceptional medical services, referred to herein as Providers.
- 3) Exceptional medical care is defined as the level of medical care required by persons who are medically stable and ready for discharge from a hospital but who require a multi-disciplinary level of care for physician, nurse and ancillary specialist services with exceptional costs related to extraordinary equipment and/or supplies that have been determined to be a medical necessity. This includes but is not limited to persons with acquired immune deficiency syndrome (AIDS) or related condition, head-injured persons, and ventilator dependent persons. Consideration may be given to those residents currently residing in a facility who require a multi-disciplinary level of care and meet criteria as stated in subsection (j)(2).
- 4) The Department shall negotiate with nursing home providers and enter into a contract with providers. The rate of payment will be reasonable and adequate to meet the costs incurred by the facilities providing exceptional care. Providers may negotiate separate facility

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)

wide rates for separate types of care. In determining the rate of payment to a facility, the Department shall take into account cost information submitted by the facility.

b) Exceptional Care Contract Requirements

The Department may enter into a contract for exceptional care services only if the Provider agrees to the following conditions:

- 1) The Provider will maintain separate records regarding costs related to the care of the exceptional care residents, reporting them in the ancillary section of the Department Long Term Care Facility Cost Reports.
- 2) The facility must demonstrate the capacity and capability to provide exceptional care as documented by Department of Public Health and Department of Public Aid records.
- 3) The Provider must maintain and provide documentation demonstrating:
 - A) Adherence to staffing requirements as set out in subsection (c);
 - B) Adherence to staff training requirements as set out in subsection (d);
 - C) Validity of written agreements as required in subsection (e);
 - D) Presence of emergency policy and procedures as set out in subsection (f);
 - E) Medical condition of the resident; and
 - F) Care, treatments and services provided to the resident.
- 4) The Provider must have and maintain physical plant adaptations to accommodate the necessary equipment.

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)

- 5) The Provider must have and maintain an emergency electrical backup system.

c) Exceptional Care Staffing Requirements

Staffing requirements for facilities providing exceptional care include:

- 1) A minimum of one RN on duty on the day shift, seven days per week (as required by the Department of Public Health and set out in 77 Ill. Adm. Code 300.1240). Additional RN staff may be determined necessary by the Department of Public Aid, based on the Department's review of the individual exceptional care clients' needs and/or the exceptional care needs relative to the category of services being contracted for.

- 2) A minimum of the required number of LPN staff (as required by the Department of Public Health and set out in 77 Ill. Adm. Code 300.1230 and 300.1240), on duty, with an RN on call, if not on duty on the evening and night shifts, seven days per week; and

- 3) A certified respiratory therapy technician or registered respiratory therapist, on staff or on contract with the facility, for those facilities serving ventilator dependent residents or residents requiring respiratory therapy services.

d) Exceptional Care Staff Training Requirements for Facilities Providing Ventilator Dependent Care

Training requirements for facilities providing exceptional care for ventilator dependent residents include:

- 1) At least one of the full-time professional nursing staff members has successfully completed a course in the care of ventilator dependent individuals and the use of ventilators, conducted and documented by a certified respiratory therapy technician or registered respiratory therapist (as certified/registered by the Department of Professional Regulation) or a qualified registered

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)

nurse who has at least one year experience in the care of ventilator dependent persons, and

- 2) All staff caring for ventilator dependent residents must have documented inservice training in ventilator care prior to providing such care. Inservice training must be conducted at least annually by a certified respiratory therapy technician or registered respiratory therapist (as certified/registered by the Department of Professional Regulation) or a qualified registered nurse who has at least one year experience in the care of ventilator dependent persons. Inservice training documentation shall include name and qualification of the inservice director, duration of presentation, content of presentation and signature and position description of all participants.

e) Exceptional Care Agreement Requirements

The Provider must have a valid written agreement with:

- 1) A medical equipment and supply provider which must include a service contract for ventilator equipment when accepting ventilator dependent residents;
- 2) A local emergency transportation provider;
- 3) A local hospital capable of providing the necessary care for equipment dependent residents, when appropriate; and
- 4) A certified respiratory therapy technician or registered respiratory therapist, (unless a respiratory therapist is on staff within the facility) when accepting ventilator dependent residents or residents requiring respiratory therapy services.

f) Exceptional Care Emergency Policy and Procedures Requirements

The Provider must have specific written policies and procedures addressing emergency needs for residents requiring exceptional care.

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)

g) Accessibility to Records

The Provider must make accessible to IDPA and/or IDPH all facility, resident and other records necessary to determine that the needs of the resident are being met and to determine the appropriateness of exceptional care services.

h) Contract Negotiations

1) A Provider shall notify the Department of its interest in participating in the Exceptional Care Program in writing by certified or registered mail, return receipt requested.

2) Negotiations between the Provider and the Department shall be conducted solely on an individual facility basis. Multiple facility negotiations shall not be permitted.

3) Prior to the beginning of negotiations, the Provider shall submit to the Department a completed Exceptional Care Data Sheet. The Department shall furnish such Data Sheet. The Exceptional Care Data Sheet shall require:

A) Identification of the types, quantities and costs of services which the Provider intends to offer;

B) A staffing plan for the area of the facility serving exceptional care residents; and

C) Documentation of the qualifications of staff serving exceptional care residents.

4) The Department shall provide each provider which has notified the Department of its interest in participation in the Exceptional Care Program with a copy of the proposed contract provisions by mailing such proposed contract provisions to the provider. Each contract shall be for a period of one year.

i) Renewal/Nonrenewal of Exceptional Care Contracts

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)

1) Providers desirous of renewing exceptional care contracts must contact the Department in writing sixty (60) days prior to the expiration date of the contract to express their intent to renew the contract.

2) Upon receipt of the Providers' intent to renew their contract, the Department shall open negotiations as set forth in subsection (h).

3) Providers desiring to terminate or not renew their contract shall notify the Department sixty (60) days prior to the date of termination or contract expiration. Payment for new admissions at an exceptional care rate will not be made to those providers who do not have a valid exceptional care contract. Payment for exceptional care residents in facilities which terminate or do not renew their contracts will remain at the previous exceptional care rate until such time as the resident no longer requires exceptional care as determined by the Department's utilization review (see Contract Monitoring 2 and 3) or the resident is discharged.

4) It is the responsibility of a nursing home Provider to effect appropriate discharge planning for exceptional care residents when terminating or not renewing its contract. The Department agrees to assist Providers with any information available regarding appropriate placement settings.

j) Determining eligibility for exceptional care payment.

1) All persons must be approved by an authorized Department representative prior to placement in a facility to be eligible for exceptional care payment. Excluding those residents currently enrolled in the negotiated rate program.

2) In order for a person to be approved for exceptional care placement the cost of the person's care must be at least 50% more than the proposed admitting facility's per diem rate (capital, support and nursing components).

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)

Eligible items which may be used in computing the cost of the person's care include nursing services costs, therapy services costs, and medical equipment and supply costs. Computations for determining cost of care shall be based upon maximum allowable costs for service equipment and supplies and HSA wage rates for the proposed admitting facility as determined by the Department.

- k) Provision for Patients for which a Long Term Care Placement is Unavailable

In the event placement for a patient in need of exceptional care services or skilled nursing services cannot be located, the Department shall approve payment to the hospital in which the patient is receiving services. The rate of payment to the hospital shall not exceed the average statewide long term care facility per diem rate for the level of services provided.

- 1) Contract Monitoring

- 1) All utilization controls applied to exceptional care by the Department in accordance with the approved plan for medical services under Section 5-2 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-2), and Title XIX of the Federal Social Security Act (42 U.S.C. 1396a) shall continue to apply to exceptional care provided under the Exceptional Care Program (Ill. Rev. Stat. 1989, ch. 111 1/2 par. 6503-5; Section 3-5 of the The Health Finance Reform Act).

- 2) The Department shall provide for a program of delegated utilization review and quality assurance. The Department may contract with Medical Peer Review organizations to provide utilization review and quality assurance under any contract negotiated for exceptional care.

- 3) The Department shall review exceptional care residents' utilization of services every ninety (90) days. This review may be waived by Department Exceptional Care staff if at least 3

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)

previous assessments show that a resident's condition has stabilized. Department Exceptional Care staff will maintain contact with the long term care facility regarding the resident's condition during the time period the assessment is waived.

- 4) In the event that it is determined that the resident is no longer in need of exceptional care services, the Department shall reduce the rate of payment to the Provider to the facility's standard Medicaid per diem rate.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

- 1) The Heading of the Part: SPECIAL ELIGIBILITY GROUPS
- 2) Code Citation: 89 Ill. Adm. Code 118
- 3) Section Number: Proposed Action:
118.200 Amendment
- 4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved: Section 118.200 allows IDPA to provide drugs for non-Medicaid persons with AIDS, ARC or HIV infection. The attached revisions are necessary to discontinue approving applications for persons with third party insurance coverage. These revisions also update language to allow for one contractor to provide statewide mail order services under this program.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐

8) Does this Proposed Amendment contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Dan Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

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NOTICE OF PROPOSED AMENDMENT

12) Initial Regulatory Flexibility Analysis:
This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment which appears in this issue of the Register on page 8710.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Enterprise Zone Program

In line 2 of subsection(a)(4), replaced the semicolon following "to" with a colon.

2) Code Citation: 14 Ill. Adm. Code 520

In line 7 of subsection(a)(4), changed "must" to "shall".

3) Section Numbers:

In line 3 of subsection(b)(2), deleted the comma following "(f)".

520.315 New Section

520.740 Amendment

520.800 Repeal

520.810 Repeal

520.820 Repeal

520.830 Repeal

520.910 Amendment

520.1010 Amendment

Section 520.740
In line 4 of subsection(d), changed the "m" in "The" to the lower case.

In line 2 of subsection(f), capitalized the "T" in "The Public Utilities Act".

In line 3 of subsection(f), changed "Realtors" to "Retailers".

4) Statutory Authority: Implementing Sections 5.4(a)(ii),(ii), and (iv) and 5.5 of the Illinois Enterprise Zone Act (Ill. Rev. Stat. 1989, ch. 67 1/2, pars. 609(a)(ii),(iii), and (iv) and 609.1(b)); Section 2-201(f) of the Illinois Income Tax Act (Ill. Rev. Stat. 1989, ch. 120, par. 2-201(f)); Sections 1d-1f of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 1989, ch. 120, pars. 440d-440f); and Sections 9-222 (Ill. Rev. Stat. 1989, ch. 120, pars. 9-222.1 of the Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, pars. 9-222 and 9-222.1) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.42).

Section 520.910
In the next to last line of subsection(a)(2), replaced "must" with "shall".

Sections 520.910 and 520.1010
Inserted a new sentence after the first sentence in both Sections 520.910(a)(2) and 520.1010(a)(2) which reads: "The Department considers the manufacturing processes to be interrelated if the facilities act as one functional unit in the manufacture of the final product."

In the next to last line of subsection(a)(2), replaced "must" with "shall".

5) Effective Date of Amendments: May 30, 1991

6) Does this rulemaking contain an automatic repeal date? No.

7) Do these amendments contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: May 27, 1991.

9) Notice of Proposal Published in Illinois Register: August 17, 1990 - 14 Ill. Reg. 13060.

10) Has JCAR issued a Statement of Objections to these amendments? No.

11) Differences between proposal and final version:

In the Authority Note, capitalized the "T" in "The Public Utilities Act".

In the main source note and all Section source notes, changed "14 Ill. Reg." to "15 Ill. Reg."

Section 520.315

In line 4 of subsection(a)(3), replaced the comma before "mailings" with "or" and deleted "or other means".

12)

Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13)

Will these amendments replace an emergency amendment currently in effect? No.

14)

Are there any amendments pending on this Part? No.

15)

Summary and Purpose of Amendments: This rulemaking serves to amend rules entitled "Enterprise Zone Program". Section 520.315 is being added to more accurately reflect agency policy and more completely implement Section 5.4(a) of the Illinois Enterprise Zone Act. This Section allows enterprise zones to change zone incentives, to alter the termination date of the zone and to make technical corrections. The procedures to effect these amendments were inadvertently omitted from the existing rules. Section 520.740 is being amended to provide a mechanism for a high impact business to notify the department that the eligible investments have been placed in service and the minimum jobs have been created or retained, prior to the department's authorization for the utility tax exemption and the manufacturing and equipment sales tax exemption. The repeal of Subpart H (Sections 520.800-520.830) is

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necessary because the investment tax credit carry-forward incentive provided therein required the creation or retention of jobs by July 1, 1986. Thus, the rule has expired by operation of law and should be deleted. The amendments to Sections 520.910(a) and 520.1010(a) allow businesses owning and operating more than one facility located in Illinois enterprise zones to qualify for the utility tax exemption and the manufacturing and equipment sales tax exemption by combining their investment and total jobs created or retained if the business can demonstrate that the manufacturing processes at each location are interrelated. The department has always interpreted that the exemptions would be offered to such businesses.

Sections 520.910(b) and 520.1010(b) are being revised to add the eligibility requirements for high impact businesses, as authorized by Section 5.5 of the Illinois Enterprise Zone Act.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. John D. Taylor, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th floor
Springfield, Illinois 62701
(217) 782-6136

The full text of the Adopted Amendments begins on the next page:

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TITLE 14: COMMERCE
SUBTITLE C: ECONOMIC DEVELOPMENT
CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 520

ENTERPRISE ZONE PROGRAM

SUBPART A: DEFINITIONS

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520.100

Definitions

SUBPART B: APPLICATION AND CERTIFICATION

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520.200
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520.250

Eligible Applicants
Eligibility Criteria
Form of Application
Application Procedures
Joint Application
Application Evaluation and Ranking

SUBPART C: AMENDMENT AND DECERTIFICATION

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520.300
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Application Overview
Boundary Changes
Application to Change Incentives, Alter Termination Date, and Make Technical Corrections
Decertification

SUBPART D: DESIGNATED ZONE ORGANIZATIONS

Section
520.400
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520.420

General
Project Eligibility and Approval
Charitable Contributions

SUBPART E: LOCAL RESPONSIBILITIES

Section
520.500
520.510

Reporting and Monitoring
Administration

SUBPART F: TAX INCENTIVES

Section
520.600

Jobs Tax Credit

SUBPART G: HIGH IMPACT BUSINESSES IN ILLINOIS

Section
520.700
520.710
520.720
520.730

Definitions
Eligible Applicants
Eligibility Criteria
Form of Application

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520.740 Application Review and Approval
520.750 Revocation of the High Impact Business Designation

SUBPART H: INVESTMENT TAX CREDIT CARRY-FORWARD

Section

520.800 Definitions (Repealed)
520.810 Eligibility Criteria (Repealed)
520.820 Form of Application (Repealed)
520.830 Application Review and Approval Process (Repealed)

SUBPART I: MACHINERY AND EQUIPMENT/POLLUTION
CONTROL FACILITIES SALES TAX EXEMPTION

Section

520.900 Definitions
520.910 Eligibility Criteria
520.920 Form of Application
520.930 Application Review and Approval Process

SUBPART J: ENTERPRISE ZONE UTILITY TAX EXEMPTION

Section

520.1000 Definitions
520.1010 Eligibility Criteria
520.1020 Form of Application
520.1030 Application and Approval Process

AUTHORITY: Implementing the Illinois Enterprise Zone Act (Ill. Rev. Stat. 1989, ch. 67 1/2, pars. 601 et seq.); Sections 201(f), (g) and (h) of the Illinois Income Tax Act (Ill. Rev. Stat. 1989, ch. 120, pars. 2-201(f), (g) and (h)); Sections 1d-1f of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 1989, ch. 120, pars. 440d-440f); and Sections 9-221, 9-222, and 9-222.1 of The Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, pars. 9-221, 9-222, and 9-222.1) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.42).

SOURCE: Adopted at 9 Ill. Reg. 11790, effective July 24, 1985; emergency amendments at 10 Ill. Reg. 4936, effective March 11, 1986 for a maximum of 150 days; amended at 10 Ill. Reg. 7323, effective April 18, 1986; amended at 10 Ill. Reg. 12563, effective July 7, 1986; amended at 10 Ill. Reg. 12915, effective July 22, 1986; amended at 10 Ill. Reg. 15200, effective September 8, 1986; amended at 10 Ill. Reg. 16580, effective September 24, 1986; amended at 10 Ill. Reg. 19718, effective November 6, 1986; amended at 11 Ill. Reg. 11054, effective June 5, 1987; emergency amendments at 11 Ill. Reg. 11174, effective June 8, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16091, effective September 29, 1987; amended at 12 Ill. Reg. 4115, effective February 8, 1988; amended at 12 Ill. Reg. 11201, effective June 17, 1988; amended at 12 Ill. Reg. 17823, effective October 21, 1988; emergency amendment at 13 Ill. Reg. 16117, effective October 2, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19936, effective December 7, 1989; amended

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at 14 Ill. Reg. 3445, effective February 27, 1990; amended at 15 Ill. Reg. 8683, effective May 30, 1991.

NOTE: Capitalization denotes statutory language.

Section 520.315 Application to Change Incentives, Alter Termination Date, and Make Technical Corrections

a) Application to Expand, Limit or Repeal Incentives

1) The applicant shall apply to the Department to expand, limit or repeal the incentives provided in the ordinance on forms provided by the Department, and shall comply with the procedures described in Section 5.4 of the Act.

2) Sections 5.4(e) and (f) of the Act provide that all incentives and benefits previously offered shall continue for the original term of the zone for three groups:

A) business enterprises which are receiving benefits or incentives in the zone on the effective date of the amending ordinance;

B) business enterprises or expansions which are proposed or under development on the effective date of the amending ordinance, if the business enterprise demonstrates that:

i) the proposed business enterprise or expansion has been committed to locating or expanding in the zone;

ii) substantial and binding financial obligations have been made;

iii) such commitments have been made in reasonable reliance on the benefits and programs which would have been available because of the enterprise zone;

C) individuals participating in urban homestead or shopstead programs.

3) With respect to businesses which are already receiving enterprise zone benefits, the local government has the responsibility to attempt to inform eligible businesses through public notice or mailings, and to take administrative steps necessary to assure compliance.

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4) Evidence of commitment under subsection(a)(2) shall include, but is not limited to: internal memoranda; purchase orders; construction plans and schematics; evidence of financial commitment from financial institutions and/or state, local or federal governments; and written contracts. Proposed business locations or expansions shall also demonstrate reliance on enterprise zone benefits by applying for the incentives, provided that all other requirements are met.

5) With respect to homestead and shopstead programs, the local government shall inform affected parties and meet its obligations concerning transfer of title to the property and any other provisions that relate to the rights and privileges of the affected parties.

b) Application to Alter Termination Date

1) An applicant shall apply to the Department to alter the termination date provided in the ordinance on forms provided by the Department, and shall comply with the procedures described in Section 5.4 of the Act.

2) If the amendatory ordinance reduces the duration of the enterprise zone, the "benefit entitlement" provisions of Sections 5.4(e) and (f) of the Act and described in subsections(a)(2)(A), (B) and (C) shall apply.

c) Application to Make Technical Corrections

1) An applicant shall apply for an amendment for a technical correction on forms provided by the Department, and shall comply with the procedures described in Section 5.4 of the Act.

2) Technical correction shall mean a non-substantive change that corrects or clarifies the wording, terms or conditions of an enterprise zone ordinance or intergovernmental agreement. A technical correction is not one that affects any rights and privileges accorded to residents of the zone.

(Source: Added at 15 Ill. Reg. 8683, effective May 30, 1991)

Section 520.740 Application Review and Approval

a) Applications may be submitted to the Department at any time during the year.

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b) The Department shall approve or deny an application within 30 days. If the Department denies the initial application, it will specify the reasons for the denial in writing and allow the applicant 30 days to amend and resubmit the application. Resubmitted applications will be approved or denied in writing within 30 days of receipt. In no event shall the review period last longer than 90 days. In the event of a complaint by the applicant, the Department will follow the procedures outlined in 47 Ill. Adm. Code 10 (Review and Appeal Procedures).

c) If the application is eligible, in accordance with Section 520.720, the Department will notify the applicant in writing of designation as a High Impact Business and transmit a copy of the designation to the Illinois Department of Revenue.

d) Applicants determined eligible by the Department shall qualify for the credits and exemptions described in the following Acts: Section 9-222 of The Public Utilities Act (Ill. Rev. Stat. 19871989, ch. 111 2/3, par. 9-222); Section 201(h) of the Illinois Income Tax Act (Ill. Rev. Stat. 1988-Supp-1989, ch. 120., par.2-201(h)); Sections 1d and 1e of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 19871989, ch. 120, pars. 440(d) and 440(e)); provided that the credits and exemptions described in these Acts shall not be authorized until the minimum investments have been placed in service in qualified properties. In the case of the exemptions described in The Public Utilities Act and the Retailers' Occupation Tax Act, the minimum full-time equivalent jobs or full-time jobs shall have been created or retained.

e) High Impact Business located in federally designated foreign trade zones or sub-zones are also eligible for additional credits, exemptions and deductions as described in the following Acts: Section 9-221 of The Public Utilities Act (Ill. Rev. Stat. 19871989, ch. 111 2/3, par. 9-221); Section 201(g) and 203 of the Illinois Income Tax Act (Ill. Rev. Stat. 1988-Supp-1989, ch. 120, pars. 2-201(g) and 2-203); and Section 5(1) of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 19871989, ch. 120, par. 444(1)).

f) Prior to authorization for the credits and exemptions described in Section 9-222 of The Public Utilities Act and Section 1(d) of the Retailers' Occupation Tax Act, businesses shall notify the Department on forms provided by the Department when the minimum eligible investments have been placed in service in qualified property and the minimum full-time equivalent or full-time jobs have been created or retained.

(Source: Amended at 15 Ill. Reg. 8683, effective May 30, 1991)

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SUBPART H: INVESTMENT TAX CREDIT CARRY-FORWARD

Section 520.800 Definitions (Repealed)

The following definitions are applicable to Subpart H:

"Actu" means Section 201(g) of the Illinois Income Tax Act (Ill. Rev. Stat. 1985, ch. 120, par. 2-201(g)).

"Eligible investment" means investments in qualified property as defined in the Investment Tax Credit, Section 201(g) of the Illinois Income Tax Act.

"Full-time employee" means a person who works a minimum of 35 regular hours per week for 52 weeks for a minimum total of 1,820 hours per year. Vacations, paid holidays and sick time are included in this computation. Overtime is not considered regular hours.

"Full-time equivalent job" means the number of employees required to equal one full-time employee. For purposes of this definition, "employee" means a person who works a minimum of 35 hours per week for a minimum of 13 consecutive weeks to be counted towards full-time equivalency.

"Job creation" means at least 2000 full-time equivalent employees have been hired over the number of full-time equivalent employees that were employed by the applicant as of December 31, of the previous year or will be employed by the taxpayer once all planned investments as described in the application are made. Job titles being filled or re-filled as a result of strikes or layoffs cannot be computed as job creation. For purposes of this definition, a majority of the jobs created must be in the enterprise zone in which the eligible investment is made, meaning the employee must provide services in the zone or have the zone location as the base of operations for the services performed.

"Minimum investment" means the amount of eligible investments which must be made to qualify for the exemption. For purposes of this program, the minimum eligible investment which must be made in the enterprise zone is \$40 million.

"Qualified employee" means a person who is employed by the taxpayer applying for the exemption.

(Source: Repealed at 15 Ill. Reg. 8683, effective May 30, 1991)

Section 520.810 Eligibility Criteria (Repealed)

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Eligibility for five-year carry-forward is contingent on the taxpayer making a minimum investment in an enterprise zone which causes the creation of at least 2,000 full-time equivalent jobs in Illinois and being certified as eligible by the Department by July 17, 1986.

(Source: Repealed at 15 Ill. Reg. 8683, effective May 30, 1991)

Section 520.820 Form of Application (Repealed)

An application shall be submitted on the standard application form provided by the Department. An application shall include:

- a) Investment information--a description of the planned qualifying investment; documentation to substantiate the investment is qualified--(e.g., construction schedules, schematics, and specifications, or lists and approximate value of equipment to be purchased); and statement when investment will be made;
- b) Job Creation--information on new employment to result in enterprise zone as a result of the investment which includes by job title(s) the number of new and current employees and starting date(s) of new employees; new employment of taxpayer in addition to that just identified which is a direct result of the investment which includes by employment location the number of current and new employees and starting date(s) of new employees by job title; and explanation of how and why the investment causes additional employment in each location outside of the enterprise zone in which the investment is made;
- c) Certification--signed and dated statement indicating application information and data is correct and providing the Department access to materials, documents and other data required to verify application information;

(Source: Repealed at 15 Ill. Reg. 8683, effective May 30, 1991)

Section 520.830 Application Review and Approval Process (Repealed)

- a) Applications shall be submitted to the Department no later than June 17, 1986. The Department shall approve or deny the application within 10 days of receipt. The application will be approved if it meets the requirements of Sections 520.810 and 520.820.
- b) In cases when the Department denies an application, it shall specify in writing the reasons for denial and shall allow the applicant 15 days to amend and resubmit the application. Resubmitted applications shall be approved or denied within 15 days of receipt.

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- c) Applicants-determined-to-be-eligible;-in-accordance-with-Section 520-810;-by-the-Department;-shall-be-issued-a-Certificate-of-Conditional--eligibility;-The--Certificate--of--Conditional Eligibility-shall-be-issued-for-a-specific-time-period-which-will expire:
- 1) Three-years-after-the-date-of-issuance;-or
 - 2) The-date-the-qualified-property-is-placed-in-service;- whichever-is-sooner;
 - d) At-least-60-days-before-the-expiration-of-the-conditional eligibility-the-business-must-submit-documentation-(as-described in-Section-520-820(a)-and-(b))-to-the-Department-that-the qualifying-investments-have-been-made-and-the-job-creation requirements-have-been-met--The-Department-will-then-issue-a-new Certificate-of-Eligibility-for-the-remainder-of-the-exemption period--Copies-of-both-the-conditional-and-final-certifications will-be-filed-by-the-Department-with-the-Illinois-Department-of Revenue-when-they-are-issued;

(Source: Repealed at 15 Ill. Reg. 8683, effective May 30, 1991)

Section 520.910 Eligibility Criteria

a) Enterprise Zones

- 1) Eligibility for the tax exemption is contingent on the business located-in-an-enterprise-zone making

A)a) a minimum eligible investment of \$5 million in an enterprise zone which causes the creation of a minimum of 200 full-time equivalent jobs in Illinois

or,

B)b) a minimum eligible investment of \$40 million in an enterprise zone which causes the retention of a minimum of 2,000 full-time jobs in Illinois, or

C)c) a minimum eligible investment of \$40,000,000 which causes the retention of at least 90% of the jobs in place on the date on which the exemption is granted for the duration of the exemption.

- 2) Businesses owning and operating more than one facility located in Illinois enterprise zones shall qualify for this exemption by combining their investments and jobs created or retained if the business can demonstrate that the manufacturing processes at each location are interrelated.

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The Department considers the manufacturing processes to be interrelated if the facilities act as one functional unit in the manufacture of the final product. Proof of such interrelationship shall include, but is not limited to, internal memoranda, flow charts, narrative descriptions, organization charts, annual reports or any other written documentation that demonstrates that the manufacturing processes are interrelated. The majority of jobs shall be located in one or more Illinois enterprise zones.

b) High Impact Business

In the case of a designated High Impact Business, eligibility is contingent on the business making a minimum eligible investment of \$12 million placed in service in qualified property at a designated location in Illinois which caused the creation of 500 full-time equivalent jobs at the designated location; or making a minimum eligible investment of \$30 million placed in service in qualified property in a designated location in Illinois which causes the retention of 1,500 full-time equivalent jobs at a designated location in Illinois.

(Source: Amended at 15 Ill. Reg. 8683, effective May 30, 1991)

Section 520.1010 Eligibility Criteria

a) Enterprise Zone

- 1)a) Eligibility for the tax exemption is contingent on the business making a minimum eligible investment of \$5 million in an Enterprise Zone which causes the creation of a minimum of 200 full-time equivalent jobs in Illinois or a minimum eligible investment of \$20 million in an Enterprise Zone which causes the retention of a minimum of 1,000 full-time jobs in Illinois.

- 2) Businesses owning and operating more than one facility located in Illinois enterprise zones shall qualify for this exemption by combining their investments and jobs created or retained if the business can demonstrate that the manufacturing processes at each location are interrelated. The Department considers the manufacturing processes to be interrelated if the facilities act as one functional unit in the manufacture of the final product. Proof of such interrelationship shall include, but is not limited to, internal memoranda, flow charts, narrative descriptions, organization charts, annual reports or any other written documentation that demonstrates that the manufacturing processes are interrelated. The majority of jobs shall be

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located in one or more Illinois Enterprise Zones.

b) High Impact Business

b) In the case of a designated High Impact Business, eligibility is contingent on the business making a minimum eligible investment of \$12 million placed in service in qualified property at a designated location in Illinois which caused the creation of 500 full-time equivalent jobs at the designated location; or making a minimum eligible investment of \$30 million placed in service in qualified property in a designated location in Illinois which causes the retention of 1,500 full-time equivalent jobs at a designated location in Illinois.

(Source: Amended at 15 Ill. Reg. 8683, effective May 30, 1991)

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- 1) Heading of the Part: Public Radio and Television Station Grants
- 2) Code Citation: 74 Ill. Adm. Code 280
- 3) Section numbers:

280.10	Adopted action:
280.20	Amendment
280.35	New Section
- 4) Statutory authority: Ill. Rev. Stat. 1989, ch. 127, pars. 1551, 1552.
- 5) Effective Date of Amendments: June 4, 1991
- 6) Does this rulemaking contain an automatic repeal date: No.
- 7) Do these amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: May 28, 1991
- 9) Notice of Proposal Published In Illinois Register: November 16, 1990, 14 Ill. Reg. 18359.
- 10) Has JCAR issued a Statement of Objections to these Amendments? Yes.
 - A) Statement of Objection: April 5, 1991
(15 Ill. Reg. 5112)
 - B) Agency Response: June 14, 1991
(15 Ill. Reg. 8724)
 - C) Date Agency Response Submitted for Approval to JCAR: May 17, 1991

11) Differences between proposal and final version: Changes were made to Section 280.35 in response to JCAR's recommendations regarding the manner of reporting the final year grant expenditures. Disclosure of grant expenditure for the final year of participation is to be made on a newly designed form "Schedule G -- Statement of Grant Expenditures and Certification for Final Year of Participation" rather than Schedule F -- Statement of Grant Expenditures as originally proposed.

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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will these amendments replace any emergency amendments currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments: To bring the State's grant program into conformance with that of the Corporation for Public Broadcasting and current practice.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Lou Ann Reichle
Office of the Comptroller
201 State House
Springfield, Illinois 62706
(217) 782-6000

The full text of the adopted amendments begins on the next page:

Section
280.5
280.10
280.15
280.20
280.25
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280.35
APPENDIX A

Foreword
Definitions
Operating Grants
Applications Content
Grant Limitations
Application Times
Compliance Audits

Corporation for Public Broadcasting
Qualification Criteria for Radio
Community Service Grants
Corporation for Public Broadcasting
Qualification Criteria for Television
Community Service Grants

APPENDIX B

AUTHORITY: Implementing and authorized by "AN ACT to provide for state grants to certain public radio and television stations in the State of Illinois and for related purposes" (Ill. Rev. Stat. 1989:997, ch. 127, par. 1551 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 597, effective August 29, 1980; codified at 5 Ill. Reg. 10598; amended at 10 Ill. Reg. 10115, effective May 28, 1986; amended at 13 Ill. Reg. 4664, effective March 22, 1989; amended at 13 Ill. Reg. 14038, effective August 29, 1989; amended at 15 Ill. Reg. 8696, effective June 4, 1991.

Section 280.10 Definitions

"Act" means "AN ACT to provide for State grants to certain public radio and television stations in the State of Illinois and for related purposes" (Ill. Rev. Stat. 1989:997, ch. 127, par. 1551 et seq.).

"Actual Operating Cost" means the total sum expended for the operations and maintenance of an Illinois public radio or television station during the station's fiscal year ending prior to October 1 of the fiscal year for which funds are appropriated for grants under this Act, and includes programming and production costs, all administrative costs, all public information costs, all

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fund raising costs, all broadcasting costs and all in-kind expenses relating to the above. However, the term "actual operating costs" does not include the costs of acquiring ~~real property~~~~fixed assets~~, depreciation on ~~real property~~~~fixed assets~~, production costs underwritten by public broadcasting entities, costs attributable to instructional activities of the educational institution, whether on closed circuit or not, costs of operating a commercial (profit-making) business enterprise, including a for-profit subsidiary, and all in-kind expenses related to the above.

"Comptroller" means the Comptroller of the State of Illinois or his designated representative for receiving grant applications pursuant to the Act.

"Eligible station" means a public radio or television station in full-time operation which the Corporation for Public Broadcasting has determined has met its minimum grant criteria (see Appendices A and B of this Part) for eligibility to participate in the grant process before applying for a grant under the Act.

"Illinois Public Radio Station" or "Radio Station" means a non-commercial public radio broadcasting station licensed as such by the Federal Communications Commission to and operating from a community within this State which is eligible to receive grants under the Act.

"Illinois Public Television Station" or "Television Station" means a non-commercial public television broadcasting station licensed as such by the Federal Communications Commission to and operating from a community within this State which is eligible to receive grants under the Act.

"Public Broadcasting Entities" means the Corporation for Public Broadcasting, any licensee or permittee of a television or radio broadcasting station which is eligible to be licensed by the Federal Communications Commission as a non-commercial educational radio or television broadcasting station, or any non-profit institution engaged primarily in the production, acquisition, distribution, or dissemination of educational and cultural television or radio programs.

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"Station" means any eligible radio or television station.

(Source: Amended at 15 Ill. Reg. 8696, effective June 4, 1992)

Section 280.20 Applications Content

- a) Any eligible station seeking a grant pursuant to the Act shall send 3 copies of each of the documents described in subsections (b) through (h) to:

Public Radio/Television Assistance Grant
Office of the Comptroller
State of Illinois
201 Capitol Building
Springfield, Illinois 62706

- b) A Preliminary Certification Station, indicating that the station has met the minimum grant criteria of the Corporation for Public Broadcasting before applying for a grant under the Act.

- c) General Information and Cover Page identifying the name, address, telephone number and call letters of the station and indicating the enclosure of all appropriate schedules and other supporting information.

- d) A certification of Grant Request executed in two parts:

- 1) one by the station manager or chief executive officer which certifies that the applicant
A) has accurately stated actual operating costs which are detailed on schedules B and D of the application, and

- B) will abide by the terms and conditions of the grant, including granting access to the station's accounting records to the Comptroller's Office and not using grant funds for the purpose of general institutional overhead or parent organization expenses, which shall be categorized as follows:

- i) long term investments;
ii) capital improvements on real property and fixed assets;
iii) land acquisition;
iv) purchase of buildings;
v) overhead costs of parent institution.

- 2) and the second part executed by a certified public accountant which expresses the opinion that the operating costs of the station are accurate and comply with this Part. (Provide as Schedule A)

- e) A detailed statement of the applicant's Actual Operating Costs during the fiscal year preceding the application. (Provide as Schedule B)

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- f) A schedule of Other Eligible Costs, qualifying as such by reason of this Part, which may arise by allocation to the station of Eligible Operating Costs appearing in the University's financial statement which are attributable to the station. (Provide as Schedule C)
- g) A schedule of Ineligible Costs, qualifying as such by reason of this Part, which may also include costs incurred by the station which are attributable to the general operation of the University. (Provide as Schedule D)
- h) Such other supporting information as may be requested by the Comptroller.

(Source: Amended at 15 Ill. Reg. 8696, effective June 4, 1991)

Section 280.35 Compliance Audits

In the event that funds be discontinued for the Grants Program, or a station decides not to reapply, it is the responsibility of the station to provide the Comptroller's Office with a C.P.A. certified disclosure that actual grant expenditures are fairly stated and comply with the administrative rules of the State of Illinois. Office of the Comptroller, for Public Radio and Television Station Grants, 74 Ill. Adm. Code 280. Certified disclosure is to be made on Schedule G -- Statement of Grant Expenditures and Certification for Final Year of Participation. Schedule G is included among the schedules which comprise the grant application sent to eligible participating stations each year.

(Source: Added at 15 Ill. Reg. 8696, effective June 4, 1991)

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF EMERGENCY RULES

- 1) Heading of the Part: Trust Fund Collection Rules
- 2) Code Citation: 20 Ill. Adm. Code 1800
- 3) Section Numbers: Emergency Action:
- | | |
|---------|-------------|
| 1800.10 | New Section |
| 1800.20 | New Section |
| 1800.30 | New Section |

- 4) Statutory Authority: P.A. 86-1408, effective January 1, 1991.

- 5) Effective Date of Rules: May 30, 1991

- 6) If the emergency Rules are to expire before the end of the 150-day period, please specify the date on which they will expire: Not applicable

- 7) Date Filed in Agency's Principal Office: May 30, 1991

- 8) Reason for Emergency: Due to the rising problem of motor vehicle theft in Illinois and nationally, the General Assembly established a new program (the Illinois Motor Vehicle Theft Prevention Act; P.A. 86-1408) to prevent, combat and reduce such crimes. The General Assembly designated January 1, 1991 as the date the program is to commence and specified April 1, 1991 as the date upon which funds should be deposited into the Motor Vehicle Theft Prevention Trust Fund to provide the needed financial support of the plans, programs and projects approved by the Illinois Motor Vehicle Theft Prevention Council pursuant to the Act. The General Assembly also set a five-year sunset provision for the Act. These emergency rules are necessary to establish the grant awards that will be made under the Act and to collect the funds to pay the costs to administer the program. The Council, which is to designate the awards under the Act, was not fully constituted until after May, 1990 and held

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF EMERGENCY RULES

its first meeting of full membership on May 22, 1991. More specifically, these emergency rules will allow for awards of funds which will assist law enforcement officials in recovering stolen vehicles and bringing to justice offenders, whose actions are driving insurance premiums up and otherwise endangering the lives and property of Illinois citizens. Pursuant to these rules the Council will be able to begin immediate collection of funds, ensure the public safety, and to implement the programs established by the legislature, within the time frames required.

9) A Complete Discussion of the Subjects and Issues Involved: These rules establish procedures for the collection of money due from insurers of motor vehicles for calendar year 1990 to be deposited in the Motor Vehicle Theft Prevention Trust Fund as authorized by the Illinois Motor Vehicle Theft Prevention Act (P.A. 86-1408).

10) Are There Any Proposed Amendments Pending on this Part?: No

11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local government.

12) Information and questions regarding these Rules shall be directed to:

Gerard Ramker, Program Director
Illinois Motor Vehicle Theft Prevention Council
c/o Illinois Criminal Justice Information Authority
120 South Riverside Plaza, Suite 1016
Chicago, Illinois 60606-3997
(312/793-8550)

The text of the emergency rules begins on the next page:

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF EMERGENCY RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER VI: ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

PART 1800
TRUST FUND COLLECTION RULES

1800.10 Purpose and Authorization
EMERGENCY

1800.20 Definitions
EMERGENCY

1800.30 Collection Process
EMERGENCY

AUTHORITY: Implementing and authorized by The Illinois Motor Vehicle Theft Prevention Act (P.A. 86-1408, effective January 1, 1991).

SOURCE: Emergency rules adopted at 15 Ill. Reg. 8702, effective on May 30, 1991, for a maximum of 150 days.

Section 1800.10 Purpose and Authorization
EMERGENCY

These rules establish procedures for the collection of money due from insurers of motor vehicles for calendar year 1990 to be deposited in the Motor Vehicle Theft Prevention Trust Fund as authorized by Public Act 86-1408, entitled the "Illinois Motor Vehicle Theft Prevention Act."

The Illinois Motor Vehicle Theft Prevention Council was created within the Illinois Criminal Justice Information Authority on January 1, 1991 for the purposes set forth in the Act. Pursuant to Resolution #2 (1991), adopted March 27, 1991 at an open, public meeting, the Council directed staff to work with the Illinois Department of Insurance to develop procedures for the collection of funds authorized by the Act.

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF EMERGENCY RULES

"Total earned car years" - The term "total earned car years" is the sum of an insurer's earned car years of exposure for the calendar year, rounded to the nearest whole dollar. By way of examples, for purposes of calculating the amount to be remitted by insurers to the Council, a vehicle insured for three (3) months during a calendar year would constitute 0.25 total earned car years and would be assessed \$.25 (\$1.00 x .25); four (4) motor vehicles insured for six months each during the calendar year would constitute the sum of two (2) total earned car years and would be assessed a fee of \$2.00.

Section 1800.30 Collection Process
EMERGENCY

Money to be deposited by the Council into the Motor Vehicle Theft Prevention Trust Fund shall be collected from insurers by the Council in the following manner:

- a) By June 1, 1991, the Council shall send correspondence to all insurers engaged in writing motor vehicle insurance coverages which are included in Class 2 and Class 3 of Section 4 of the Illinois Insurance Code during calendar year 1990 as identified by the Department on February 22, 1991.
- b) The correspondence will advise these insurers that pursuant to the Act, they are required to submit to the Council by June 30, 1991 an amount equal to \$1.00 multiplied by the insurer's total earned car years for motor vehicles insured for physical damage insurance coverage as defined herein, written in the State during calendar year 1990.
- c) The correspondence shall include a worksheet which shall be returned with the correct remittance, if applicable. If an insurer owes no money pursuant to the Act, that fact must be noted on the worksheet and returned to the Council. Such worksheet shall require the insurer to report the following information: insurer company's name, address, phone number, Federal taxpayer identification number, and the National

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF EMERGENCY RULES

These procedures were reviewed and approved at an open, public meeting by the Council on May 22, 1991, pursuant to Resolution #4 (1991).

SECTION 1800.20 Definitions
EMERGENCY

"The Act" - The term "the Act" means the Illinois Motor Vehicle Theft Prevention Act, P.A. 86-1408.

"Authority" - The term "Authority" means the Illinois Criminal Justice Information Authority.

"Council" - The term "Council" means the Illinois Motor Vehicle Theft Prevention Council.

"Department" - The term "Department" means the Illinois Department of Insurance.

"Earned car year" - The term "earned car year" means the proportion of a calendar year during which a motor vehicle was insured for physical damage insurance coverage.

"Motor vehicle" - The term "motor vehicle" means "private passenger motor vehicle" including any private passenger car, station wagon, jeep, or pickup truck with a load capacity of 1,500 pounds or less not used principally for business purposes, and small farm trucks. This term includes, but is not limited to, jeeps, pick-up trucks, mini-vans, vans, and conversion vans. The term excludes motorcycles, motor homes, motor scooters, golf carts, and other off-road recreational vehicles.

"Physical damage insurance coverage" - The term "physical damage insurance coverage" means motor vehicle insurance provided for comprehensive coverage.

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF EMERGENCY RULES

Association of Insurance Commissioners number and group number; number of total earned car years of exposure for calendar year 1990; the total fee due; the name and title of the person completing the work-sheet; the person's signature; and the date.

- d) The remittance due shall be returned to the Council by June 30, 1991 and shall be in the form of a certified or corporate check made payable to: "TREASURER, STATE OF ILLINOIS". The remittance shall be sent to:

Illinois Motor Vehicle Theft Prevention Council
c/o Illinois Criminal Justice Information Authority
120 South Riverside Plaza, Suite 1016
Chicago, Illinois 60606-3997

Attention: Chief Fiscal Officer

- e) Upon receipt by the Council of the remittance due, the money shall be deposited into the Illinois Motor Vehicle Theft Prevention Trust Fund.
- f) On or before July 15, 1991, the Council shall provide the Department with a report indicating the insurers that contributed funds by June 30, 1991 and the amount of such funds contributed.
- g) All inquiries pertaining to the collection process should be directed to the Program Director of the Motor Vehicle Theft Prevention Council at (312) 793-8550.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

- 1) The Heading of the Part: SPECIAL ELIGIBILITY GROUPS
- 2) Code Citation: 89 Ill. Adm. Code 118
- 3) Section Number: Emergency Action:
118.200 Amendment
- 4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)
- 5) Effective Date of Emergency Amendment: June 1, 1991
- 6) If this Emergency Amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable
- 7) Date Filed in Agency's Principal Office: June 1, 1991
- 8) Reason for Emergency: The Department has determined that the health and safety of persons affected by this emergency rulemaking would be adversely impacted in its absence.
- 9) A Complete Description of the Subjects and Issues Involved: Section 118.200 allows IDPA to provide drugs for non-Medicaid persons with AIDS, ARC or HIV infection. The attached emergency revisions are necessary to discontinue approving applications for persons with third party insurance coverage. These revisions also update language to allow for one contractor to provide statewide mail order services under this program.
- 10) Are there any Proposed Amendments pending to this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 12) Information and questions regarding this Emergency Amendment shall be directed to:

Name:

Daniel Leikkvold, Staff Attorney
Office of the General Counsel

Address:

Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Flr.
Springfield, Illinois 62762

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

NOTICE OF EMERGENCY AMENDMENT

Telephone: (217) 782-1233

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

The full text of the Emergency Amendment begins on the next page:

PART 118
SPECIAL ELIGIBILITY GROUPS

SUBPART A: DISABLED ADULT CHILDREN

Section
118.100 Disabled Adult ChildrenSUBPART B: MEDICAL-PAYMENTS-FOR DRUGS FOR NON-MEDICAID PERSONS WITH ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) OR AIDS RELATED COMPLEXES (ARC)
OR HUMAN IMMUNODEFICIENCY VIRUSINFECTION (HIV)Section
118.200 Drugs to Prolong the Lives of Persons With Acquired Immunodeficiency Syndrome (AIDS) or AIDS Related Complexes (ARC) of Persons With The Human Immunodeficiency Virus (HIV).

SUBPART C: WIDOWS AND WIDOWERS

Section
118.300 Widows and Widowers

SUBPART D: MISCELLANEOUS PROGRAM PROVISIONS

Section
118.400 Incorporation By Reference

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13).

SOURCE: Emergency rule adopted at 12 Ill. Reg. 3037, effective January 15, 1988, for a maximum of 150 days; adopted at 12 Ill. Reg. 6301, effective March 18, 1988; amended at 12 Ill. Reg. 8068, effective April 26, 1988; amended at 13 Ill. Reg. 3950, effective March 10, 1989; amended at 14 Ill. Reg. 10442, effective June 20, 1990; emergency amendment at 15 Ill. Reg. 8708, effective June 1, 1991, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

SUBPART B: MEDICAL-PAYMENTS-FOR DRUGS FOR NON-MEDICAID PERSONS
WITH ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS)
OR AIDS RELATED COMPLEXES (ARC)
OR HUMAN IMMUNODEFICIENCY VIRUS INFECTION (HIV)

Section 118.200 Drugs to Prolong the Lives of Persons With
EMERGENCY Acquired Immunodeficiency Syndrome (AIDS) or
AIDS Related Complexes (ARC) or Persons With
The Human Immunodeficiency Virus (HIV)

Drugs provided under this Section are paid on behalf of low income individuals with Acquired Immunodeficiency Syndrome (AIDS) or AIDS Related Complexes (ARC) or Persons With The Human Immunodeficiency Virus (HIV). Funding under this Section is provided through a federal grant for Federal Fiscal Year 1988 1991 (H.R. 1827). Payments under this Section shall be made from October 1, 1987 1990, through September 30, 1988 1991, or the date the federal grant is depleted, whichever occurs first.

a) To qualify for payments services under this Section, a person must be enrolled in the program as of April 30, 1991, or:

- 1) make application with the Illinois Department of Public Aid (Department);
- 2) if requesting payment for drugs to treat AIDS, be ineligible for medical assistance under the Department's medical assistance programs; be diagnosed as having AIDS, ARC or HIV;
- 3) not have 100% coverage for the drug by another third party payer; and qualify financially with anticipated net monthly income at or below 200% of the Federal Poverty Level for the size of the household;
- 4) have anticipated gross monthly income which does not exceed 200% of the Federal Poverty Level for the size of the household; not be eligible for the Medical Assistance Program on the date drugs are obtained (individuals with financial/medical assistance applications pending or individuals in spenddown unmet status may participate); and
- 5) not be eligible for any third party insurance which covers drugs.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

Section 118.200 Drugs to Prolong the Lives of Persons With
EMERGENCY Acquired Immunodeficiency Syndrome (AIDS) or
AIDS Related Complexes (ARC) or Persons With
The Human Immunodeficiency Virus (HIV)
(Cont'd)

1988 1991 Poverty Income Guidelines

Size of family unit	Poverty guideline
1	\$-5,770 \$ 6,620
2	7,730 8,880
3	9,690 11,140
4	11,650 13,400
5	13,610 15,660
6	15,570 17,920
7	17,530 20,180
8	19,490 22,440

For family units with more than 8 members, add \$1,960 \$2,260 for each additional member.

- b) Payment shall be made to a pharmacy for Zidovudine (AZT) (i.e., Zidovudine Capsule-100-MG) or any other drug which has been determined by the Food and Drug Administration to prolong the life of a person with AIDS or ARC. The drugs that are covered under the AIDS Drug Reimbursement Program are azidothymidine (AZT) or Retrovir, aerosolized pentamidine and alpha interferon.
- c) Payment shall be made at the lesser of the pharmacy's usual and customary charge or its actual acquisition cost plus the established professional fee not to exceed the Department's maximum reimbursement level. If a third party payer will pay for part, but not 100% of the coverage for the drug, the Department will pay for the difference up to the Department's rate for the drug. To be eligible for reimbursement, all prescriptions must be filled by the Department's sole pharmacy contractor.
- d) The Department will make a disposition and issue a written decision on an application filed pursuant to this Section within thirty (30) days from the date the Department receives the application. An individual can appeal the Department's denial of his/her

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

Section 118.200

EMERGENCY Drugs to Prolong the Lives of Persons With Acquired Immunodeficiency Syndrome (AIDS) or AIDS Related Complexes (ARC) or Persons With The Human Immunodeficiency Virus (HIV) (Cont'd)

application. Such appeal shall be in accordance with 89 Ill. Adm. Code 102.70, 102.80, 102.82, 102.83 and 104:Subpart A.

(Source: Emergency amendment at 15 Ill. Reg. 8708, effective June 1, 1991, for a maximum of 150 days)

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Nos.: Peremptory Action:
125.260 Amended
125.380 Amended
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act (Ill. Reg. Stat. 1989), ch. 56 1/2, par. 316); the Federal Meat Inspection Act (21 U.S.C.A. 661); the Federal Poultry Inspection Act (21 U.S.C.A. 454); 56 FR 1359 (1991).
- 5) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1989, ch. 56 1/2, par. 316).
- 6) Effective Date: May 29, 1991
- 7) A Complete Description of the Subjects and Issues Involved:

In order to maintain an "equal to" status with the federal meat and poultry inspection programs as required by the Federal Meat Inspection Act, the Federal Poultry Inspection Act, and in compliance with Section 16 of The Meat and Poultry Inspection Act, amendments to the federal meat and poultry inspection rules are being adopted.

The Food Safety and Inspection Service has extended the effective date of the amendatory rules which pertained to "Net Weight Labeling of Meat and Poultry Products." The new effective date is January 2, 1992. The extension of this date will give the regulated industry and inspectors time for training and for updating and developing new net weight quality control programs.

The extension of the effective date should not create any additional economic impact on the regulated public.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed in Agency's Principal Office: May 29, 1991

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

10) This rule is in compliance with Section 5.03 of the Illinois Administrative Procedure Act.

11) Are there any proposed amendments pending to this Part? Yes
 15 Ill. Reg. 1574 (February 1, 1991); proposed amendment to each of the following Sections: 125.10, 125.30, 125.40, 125.50, 125.60, 125.80, 125.90, 125.100, 125.110, 125.120, 125.130, 125.140, 125.150, 125.160, 125.170, 125.180, 125.190, 125.200, 125.210, 125.220, 125.230, 125.240, 125.250, 125.260, 125.270, 125.280, 125.290, 125.300, 125.305, 125.310, 125.320, 125.330, 125.340, 125.350, 125.360, 125.370, 125.380, 125.390, 125.400, 125.410

12) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local governments.

13) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman
 Address: Illinois Department of Agriculture
 State Fairgrounds, Springfield,
 Illinois 62794-9281
 Telephone: 217/785-0112

The full text of the Peremptory amendment begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
 CHAPTER 1: DEPARTMENT OF AGRICULTURE
 SUBCHAPTER c: MEAT AND POULTRY INSPECTION ACT

PART 125

MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation

SUBPART B: MEAT INSPECTION

Section	Livestock and Meat Establishments	Meat Products	Entering Official
125.150	Equine and Equine Products		
125.160	Facilities for Inspection		
125.170	Sanitation		
125.180	Ante-Mortem Inspection		
125.190	Post-Mortem Inspection		
125.200	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts		
125.210	Humane Slaughter of Animals		
125.220	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment		
125.230	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking		
125.240	Marking Products and Their Containers		
125.250	Labeling, Marking and Containers		
125.260	Entry into Official Establishment; Reinspection and Preparation of Product		
125.270			

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

125.280 Meat Definitions and Standards of Identity or Composition
 125.290 Transportation
 125.300 Special Services Relating to Meat and Other Products
 125.305 Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section
 125.310 Application of Inspection
 125.320 Facilities for Inspection
 125.330 Sanitation
 125.340 Operating Procedures
 125.350 Ante-Mortem Inspection
 125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts
 125.370 Handling and Disposal of Condemned or Inedible Products at Official Establishments
 125.380 Labeling and Containers
 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
 125.400 Definitions and Standards of Identity or Composition
 125.410 Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1989, ch. 56 1/2, par. 301 et seq.) and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 16).

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743,

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 15 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991.

SUBPART B: MEAT INSPECTION

Section 125.260 Labeling, Marking and Containers

a) The Department incorporates by reference 9 CFR 317.1 through 317.2(j)(10), 317.2(j)(12) through 317.4(d)(1), 317.5 through 317.6, 317.8, 317.10 through 317.14, 317.17 through 317.20(d) (1984; 49 FR 4715, effective Feb. 8,

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

1984; 49 FR 18998, effective June 3, 1984; 49 FR 2335, effective July 17, 1984; 50 FR 19903, effective July 12, 1985; 50 FR 21420, effective June 24, 1985; 51 FR 29456, effective September 17, 1986; 51 FR 30052, effective September 22, 1986; 53 FR 7493, effective April 8, 1988; 53 FR 28634, effective August 29, 1988; 53 FR 49848, effective January 11, 1989; 55 FR 7289, effective August 28, 1990; 55 FR 34678, effective September 24, 1990; 55 FR 49826 and 50081, effective May 29, 1991; 56 FR 1359, effective September 3, 1991; 56 FR 22638, effective January 2, 1992).

- b) The Department shall approve only those abbreviations for marks of inspection as specifically stated in Section 2.26(j)(3) and (k)(3), (4), (5) and (9) of the Act.
- c) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.
- d) The Department shall approve temporary labeling as stated in 9 CFR 317.4(d)(1). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the labels before the expiration of the temporary approval.
- e) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act (Ill. Rev. Stat. 1983, ch. 147, par. 101 et seq.) and the rules adopted thereto (8 Ill. Adm. Code 600.120).
- f) The Department does not approve terms for generic labeling and considers the approval of terms as generic to be the responsibility of the federal government.
- g) With regard to the incorporated language in 9 CFR 317.6, the extension of time for exhausting existing stocks of labels is not applicable since all labels presently in use are in compliance with the rules of this Part.
- h) The Department does not issue a list of approved packaging materials and will permit for use any packaging material

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

which has been approved by the U.S. Department of Agriculture (see 49 FR 2235, effective July 17, 1984).

- i) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.
 - j) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 317.13 so that the inspector can notify the inspector at the destination point.
 - k) Labeling of custom slaughter and/or custom processed meat and/or meat products and the containers containing custom slaughtered and/or custom processed meat and/or meat products shall be as set forth in Section 5 of the Act.
 - l) References in the incorporated language to 9 CFR 312 shall be interpreted to mean in accordance with Section 125.90. (Source: Peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991)
- SUBPART C: POULTRY INSPECTION
- Section 125.380 Labeling and Containers
- a) The Department incorporates by reference 381.115 through 381.127, and 381.129 through 381.132(b)(1), 381.133 through 381.144(d) (1984; 49 FR 4715, effective Feb. 8, 1984; 49 FR 18999, effective July 3, 1984; 49 FR 2236, effective July 17, 1984; 50 FR 21420, effective June 24, 1985; 53 FR 28634, effective August 29, 1988; 55 FR 5976, effective March 23, 1990; 55 FR 7289, effective August 28, 1990; 55 FR 49826 and 50081, effective May 29, 1991; 56 FR 1359, effective September 3, 1991; 56 FR 22638, effective January 2, 1992).
 - b) Each shipping container and each immediate container

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

containing inspected and passed poultry and/or poultry products shall be identified in accordance with the labeling provisions of this Section.

- c) Immediate containers of poultry products packed in, bearing or containing any chemical additive shall bear a label naming the additive and the purpose of its use.
- d) Labels for consumer packages shall be approved if the label is not misbranded in accordance with Section 2.20 of the Act and is in compliance with this Section.
- e) The specific statements listed in 9 CFR 381.121 may be added to the label for the shipping container at the option of the licensee.
- f) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act and the rules adopted thereto (8 Ill. Adm. Code 600.120).
- g) No labeling or containers that have not been approved shall be used until a final decision is rendered at an administrative hearing in accordance with Section 19 of the Act and Section 125.60.
- h) The Department shall approve the manufacture of a device or label containing an official mark of inspection provided the device or label is in compliance with Section 125.90.
- i) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.
- j) The Department shall approve temporary labeling as stated in 9 CFR 381.132(b)(1). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the permanent labels before the expiration of the temporary approval.
- k) A copy of each label submitted for approval shall be accompanied by a statement showing the common or usual

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names, the kinds and percentages of the ingredients comprising the poultry product and a statement indicating the method or preparation of the product with respect to which the label is to be used. Laboratories used for chemical analysis shall be any approved laboratory as defined in 8 Ill. Adm. Code 20.1.

- l) The Department does not approve terms for generic labeling and considers the approval of terms as generic to be the responsibility of the federal government.
- m) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 49 FR 2235, effective July 17, 1984).
- n) Labels and devices approved for use pursuant to Section 125.90 and this Section shall be disposed of only when such labels or devices have been mutilated or damaged or when the establishment ceases to do business. Such labels and devices shall be given to the inspector for disposition.
- o) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 381.138 so that the inspector can notify the inspector at the destination point.
- p) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.
- q) Labeling of custom slaughtered and/or custom processed poultry and/or poultry products and the containers containing custom slaughtered and/or custom processed poultry products shall be as set forth in Section 5 of the Act.
- r) The Department shall approve only those abbreviations for

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marks of inspection as specifically stated in Section 2.26(j)(3), (4), (5) and (9) of the Act.

(Source: Peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991).

COMPTROLLER

NOTICE OF REFUSAL TO MEET THE OBJECTION
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Public Radio and Television Station Grants
- 2) Code Citation: 74 Ill. Adm. Code 280
- 3) Section Numbers:

280.10	<u>Adopted Action:</u>
280.20	Refusal
280.35	Refusal
- 4) Date Notice of Proposed Rules Published in the Register (if applicable):

November 16, 1990	14	Ill. Reg. 18359
(issue date)		
- 5) Date JCAR Statement of Objection Published in the Register:

April 5, 1991	15	Ill. Reg. 5112
(issue date)		
- 6) Summary of Action Taken by the Agency:

The Joint Committee (JCAR) objects to the Comptroller's rules entitled "Public Radio and Television Station Grants" (74 Ill. Adm. Code 280) because by having included "equipment costs" as "legitimate and reportable expenses" for the past four years, the Comptroller has implemented these rules prior to the completion of required rulemaking procedures of the Illinois Administrative Procedure Act, in violation of Sections 5(a) and 5.01(c) of the IAPA.

It was the intention of the Comptroller to bring the rules regarding the treatment of equipment costs under the Public Broadcasting Grants program into conformance with actual practice. Additionally, the Comptroller intended to bring the State's grant program into conformity with the federal Corporation for Public Broadcasting, upon which the State's grant program is modeled.

Since neither modification nor withdrawal would serve in any way to address the Joint Committee's objection, the Comptroller respectfully refuses to modify or withdraw. The proposed amendments, incorporating the previously agreed modifications, shall be adopted.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Relative Home Placement
- 2) Code Citation: 89 Ill. Adm. Code 335
- 3) Register Citation to Notice of Proposed Rules:
15 Ill. Reg. 8415; June 14, 1991
(issue date)

- 4) Date, Time and Location of Public Hearings:

July 8, 1991 - 3:30 p.m. - 5:00 p.m.
Department of Children and Family Services
406 East Monroe, 4th Floor Conference Room
Springfield, Illinois 62701

July 10, 1991 - 3:30 p.m. - 5:00 p.m.
Department of Children and Family Services
100 West Randolph, Room 215 - 6th Floor
Chicago, Illinois 60601

- 5) Other Pertinent Information: These hearings are held in addition to three public hearings scheduled earlier in June.

Written comments will be accepted through July 30, 1991. Please send all comments to:

Jacqueline Nottingham, Chief
Office of Rules and Procedures
406 East Monroe, Station #373
Springfield, Illinois 62701-1498
(217) 785-2592

DEPARTMENT OF LABOR

NOTICE OF PUBLIC INFORMATION

LIST OF CONTRACTORS PROHIBITED FROM AN AWARD
OF A CONTRACT OR A SUBCONTRACT
FOR PUBLIC WORKS PROJECTS

Pursuant to the provisions of paragraph 11a of the Illinois Prevailing Wage Act (Ill. Rev. Stat., 1989, ch. 48, par. 39s-1--12), the Director of the Illinois Department of Labor gives notice that the following contractor has been found to have disregarded his obligations to employees under the Prevailing Wage Act on two (2) separate occasions after January 1, 1990; and is prohibited from being awarded any contract or subcontract for a public works project for two (2) years from the date of this publication:

Mr. Jorge L. Longoria
Mr. Jose Pinto
Spanish American Construction
2823 W. 56th St.
Chicago, Illinois 60632

Paragraph 11a of the Prevailing Wage Act provides in part that:

"No contract shall be awarded to a contractor or subcontractor appearing on the list, or to any firm, corporation, partnership or association in which such contractor or subcontractor has an interest until 2 years have elapsed from the date of publication of the list containing the name of such contractor or subcontractor."

Copies of the Illinois Prevailing Wage Act and Notices of Violations are available from:

The Illinois Department of Labor
Conciliation and Mediation Division
Room 300
#1 West Old State Capitol Plaza
Springfield, Illinois 62701-1217

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the week of May 28, 1991 through May 31, 1991, and have been scheduled for review by the Committee at its June 11, 1991 or July, 1991 meeting. Other items not contained in this published list may also be considered by the Committee at its June or July meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
7/12/91	Department of Commerce and Community Affairs, Illinois Small Business Development Program (14 Ill. Adm. Code 570)	3/29/91 15 Ill. Reg. 4528	June 11, 1991
7/15/91	Department of Conservation, Sport Fishing Regulations for the Waters of Illinois (17 Ill. Adm. Code 810)	4/12/91 15 Ill. Reg. 5160	June 11, 1991
7/15/91	Department of Rehabilitation Services, Rules of Conduct (89 Ill. Adm. Code 827)	11/9/90 14 Ill. Reg. 18182	July, 1991

PROCLAMATION

91-274

JOHN W. COCKRELL DAY

Whereas, in June 1991 John W. Cockrell will be retiring as Circuit Court Clerk after 32 years of service in the judicial system; and

Whereas, John has been active in many civic, law enforcement, political, and veterans organizations. His presence on the political scene in the DuPage County Republican party will be greatly missed; and

Whereas, a party will be held on June 7, 1991, at the Lisle Hilton to commemorate his retirement;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 7, 1991, JOHN W. COCKRELL DAY in Illinois and congratulate Mr. Cockrell on his retirement and thank him for his many contributions to DuPage County and the State.

Issued by the Governor May 23, 1991.

Filed with the Secretary of State June 3, 1991.

91-275

MANAGEMENT WEEK

Whereas, the National Management Association (NMA) is the largest nonprofit organization of its type, with more than 74,000 members nationwide. In Illinois, the NMA has three chapters and more than 500 members; and

Whereas, chapter members represent a diverse group of concerned citizens, including individuals from Illinois' business, industry, and public sectors; and

Whereas, the NMA strives for the assurance of smooth business operations and high productivity levels within our state; and

Whereas, the NMA's objective is to develop and recognize management as a profession and to promote the American competitive enterprise system;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 3-8, 1991, as MANAGEMENT WEEK in Illinois.

Issued by the Governor May 23, 1991.

Filed with the Secretary of State June 3, 1991.

91-276

WEEK FOR THE OBSERVANCE OF THE
50th ANNIVERSARY OF WORLD WAR II

Whereas, the brave men and women of the United States of America made tremendous sacrifices during World War II to save the world from tyranny and aggression; and

Whereas, the winds of freedom and democracy sweeping the globe today spring from the principles for which more than

400,000 Americans gave their lives in World War II; and

Whereas, World War II and the events that led up to that war must be understood in order for us to better understand our own times and more fully appreciate the reasons why eternal vigilance against any form of tyranny is so important; and

Whereas, the World War II era, as reflected in family life, industry, and entertainment, was a unique period in American history and epitomized our nation's philosophy of hard work, courage, and tenacity in the face of adversity; and

Whereas, between 1990 and 1996, more than nine million American veterans of World War II will hold reunions and conferences and otherwise commemorate the 50th anniversaries of various events relating to World War II; and

Whereas, June 4, 1990, marks the anniversary of the Battle of Midway, and June 6, 1990, marks the anniversary of the D-Day battle;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 2 through June 8, 1991, as WEEK FOR THE OBSERVANCE OF THE 50TH ANNIVERSARY OF WORLD WAR II and call upon the people of Illinois to join in the observance with appropriate activities and ceremonies.

Issued by the Governor May 23, 1991.

Filed with the Secretary of State June 3, 1991.

91-277

PEST CONTROL MONTH

Whereas, from earliest civilization to the present, pests have posed one of the most persistent challenges to mankind; and Whereas, many areas in Illinois are susceptible to pests which present health and safety hazards to our citizens and their property; and

Whereas, through effective and responsible pest control and pest management practices, members of the urban environment structural pest control industry work to make our communities, homes, and workplaces free from the disease and destruction caused by pests; and

Whereas, the structural pest control industry encourages the safe, effective use of pesticides and alternative control methods; and

Whereas, the public should be supportive of the pest control efforts carried out by licensed pesticide control operators;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 1991 as PEST CONTROL MONTH in Illinois in recognition of the valuable work performed by the structural pest control industry.

Issued by the Governor May 24, 1991.

Filed with the Secretary of State June 3, 1991.

91-278

ILLINOIS RIVERS APPRECIATION MONTH

Whereas, Illinois' development as a great state owes much to our rivers and those who explored them such as Marquette, Joliet, and LaSalle, and the builders of the forts and later cities along the banks of these rivers such as Massac on the Ohio, Starved Rock and Creve Coeur on the Illinois, Kaskaskia on the Mississippi, and Dearborn in Chicago; and

Whereas, Illinois communities, which originally flourished on the banks of the avenues of commerce our rivers provide, are today revitalizing their waterfronts to provide both economical and recreational opportunities while preserving important aspects of their resources and history; and

Whereas, Illinois citizens are becoming increasingly aware of the importance of our rivers as habitat for fish and other aquatic organisms, for recreation, as scenic resources, and for clean drinking water, and of the importance of the riparian corridor for soil conservation and wildlife habitat; and Whereas, all citizens should be involved in efforts to clean our streams, practice soil conservation, protect scenic areas, and advocate recycling; and

Whereas, the Illinois Environmental Protection Agency and the Department of Conservation will work together to promote such efforts;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 1991 as ILLINOIS RIVERS APPRECIATION MONTH to increase public awareness of the importance of our rivers as resources vital to our state.

Issued by the Governor May 28, 1991.

Filed with the Secretary of State June 3, 1991.

91-279

JANE ADDAMS RESOURCE CORPORATION WEEK

Whereas, industry creates job opportunities and provides the economic growth essential for our communities to prosper; and Whereas, it is crucial to revitalize neighborhoods by initiating industrial and economic growth within communities to prevent the loss of development, jobs, and self-sufficiency of individuals; and

Whereas, Jane Addams Resource Corporation strives to enhance employment and education opportunities, leadership development, and self-sufficiency for Chicago residents; and

Whereas, Jane Addams Resource Corporation promotes investment in people and businesses, capital and job retention, and opportunities for cooperation and coordination among community entities; and

Whereas, the Jane Addams Resource Corporation is spearheading a unique partnership that is investing in the development of "The Raven," a 32,600-square-foot building being renovated

specifically for use by multiple small manufacturers and entrepreneurs; and

Whereas, this community-based enterprise will provide jobs for residents and increase opportunities for manufacturers to retain industry and provide jobs in the North Ravenswood area, as well as serving as a role model for economic development;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim the week June 3-9, 1991, as JANE ADDAMS RESOURCE CORPORATION WEEK in Illinois.

Issued by the Governor May 29, 1991.

Filed with the Secretary of State June 3, 1991.

91-280

PRIDE WEEK

Whereas, People's Reinvestment & Development Effort (PRIDE) is a not-for-profit, community-based developer and manager of affordable multifamily housing in the Austin community on Chicago's westside; and

Whereas, PRIDE was founded in response to the community's desire to replace and/or preserve desperately needed affordable multifamily housing in the community; and

Whereas, during the past ten years, PRIDE has built a reputation as one of Chicago's premier nonprofit community development corporations by providing affordable housing for 1,500 low-income South Austin residents, giving tenants leadership and training opportunities, helping 788 families receive home improvement assistance, and much more; and

Whereas, June 10, 1991, marks the 10th anniversary of PRIDE; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 9-16, 1991, as PRIDE WEEK in Illinois and commend PRIDE for the work it has done to make affordable housing available to our citizens.

Issued by the Governor May 29, 1991.

Filed with the Secretary of State June 3, 1991.

91-281

REHABILITATION FACILITIES WEEK

Whereas, the loss or impairment of a limb, an organ, or a faculty does not mean the end of a person's productive life; and Whereas, rehabilitation facilities are available to help Illinois citizens adapt to new methods of achieving productive and fulfilling lives; and

Whereas, physical therapy, counseling, learning the use of aids, and other services help disabled individuals achieve self-sufficiency; and

Whereas, dedicated, professional staffs provide individualized and sometimes painstaking care that makes such achievements possible;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 15-21, 1991, as REHABILITATION FACILITIES WEEK in Illinois and commend the facilities' accomplishments which benefit all citizens.

Issued by the Governor May 29, 1991.

Filed with the Secretary of State June 3, 1991.

91-282

KENNETH KIESLER DAY

Whereas, Kenneth Kiesler has been instrumental in the formation of Springfield Symphony Chorus which has provided local singers with significant training and public performance opportunities for the past six years; and

Whereas, Kenneth Kiesler has encouraged local arts organizations to work together, as was recently demonstrated in Illinois Chamber Orchestra collaborations with SSU Auditorium events and the Springfield Ballet's Nutcracker production; and

Whereas, Kenneth Kiesler has furthered the musical education of Springfield children through Springfield Symphony Orchestra concerts for fifth and sixth graders and in-school ensemble concerts for third and fourth graders, as well as encouraging summer scholarships for musical studies and student involvement in the Youth Symphony; and

Whereas, he has broadened the community's knowledge and understanding of music and musicians through his innovative programming and his quick-witted and informative "Concert Comments"; and

Whereas, Kenneth Kiesler has altered the cultural landscape of Springfield over the past ten years, leading the Springfield Symphony to become one of the most respected professional orchestras in the State of Illinois and increasing its annual audiences to more than 40,000 people;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 2, 1991, as KENNETH KIESLER DAY in Illinois.

Issued by the Governor May 31, 1991.

Filed with the Secretary of State June 3, 1991.

91-283

SYDNEY R. MAROVITZ DAY

Whereas, Sydney R. Marovitz rendered distinguished service to the Chicago Park District Board of Commissioners. He was committed to the distribution of a fair and equitable system of programs, services, and improvements throughout the park system for all the citizens of Chicago; and

Whereas, Sydney R. Marovitz evidenced continuing interest in the improvement of our community through his membership and participation in local, state, and national bar associations; and Whereas, Sydney R. Marovitz was tireless in his efforts in

working with many civic, charitable, and religious activities, most notably as a founder of the Bernard Horwich Center of the Jewish Community Centers of Chicago and the Portes Cancer Prevention Center; and

Whereas, the City of Chicago wishes to acknowledge and honor Sydney R. Marovitz for his 12 years of dedicated service to the patrons of the Chicago Park District and to the enhancement of the quality of life for all Chicagoans; and

Whereas, in May 1991, the Chicago Park District Board voted to accept the donation of a Commemorative Monument in memory of Sydney R. Marovitz; and

Whereas, the dedication ceremony for the Commemorative Monument for Sydney R. Marovitz Golf Course will be held June 3, 1991;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 3, 1991, as SYDNEY R. MAROVITZ DAY in Illinois in recognition of this most significant private-public venture.

Issued by the Governor May 31, 1991.

Filed with the Secretary of State June 3, 1991.

ACTION CODES	
Rules	
ICAR - Joint Committee on Administrative	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Ordered by ICAR
C - Notice of Corrections	PP - Peremptory or Court ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet ICAR objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet ICAR objections	S - Suspension ordered by ICAR
O - ICAR Statement of Objections	W - Withdrawal to meet ICAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF

TITLE	PART	ACTION CODE	PAGE NUMBER	PREVIOUS VOLUME	PAGE NUMBER	ACTION CODE
8 Ill. Adm. Code 285	III. Grain Insurance Act (P-18048/85; A-6818)					

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-141; A-6513)

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (E-2838)

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 255 Agricultural Facilities (E-128)
 8 Ill. Adm. Code 270 Ill. State Fair & DuQuoin State Fair, Non-Fair Space Rental & the General Operation of the State Fairgrounds (P-10965/90; A-455)
 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-620; W-1574) (P-1583) (PP-3117) (PP-8714)
 2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-6105)
 8 Ill. Adm. Code 290 Standardbred & Thoroughbred Horse Breeding & Racing Programs (P-19087/90; A-5207)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

77 Ill. Adm. Code 2058 Licensure of Alcoholism & Substance Abuse Treatment, Intervention & Research Programs (P-6457/90; A-2597) (P-8837)

ASBESTOS ABATEMENT AUTHORITY, ILLINOIS

2 Ill. Adm. Code 2650 Organization, rulemaking & Public Information (A-2660)

ATTORNEY GENERAL

14 Ill. Adm. Code 475 Motor Vehicle Advertising (P-6343)

AUDITOR GENERAL

74 Ill. Adm. Code 420 Code of Regs. (P-15645/90; A-3429)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 Ill. Adm. Code 307 Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions (P-3611)
 38 Ill. Adm. Code 354 Administration of Collateral Obtained in Collection of a Debt (P-3614)
 38 Ill. Adm. Code 397 Corporate Fiduciary Receivership Account (P-15181/90; A-167)
 38 Ill. Adm. Code 350 Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings (P-2053)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-2989/90; A-4109)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

80 Ill. Adm. Code 303 Conditions of Employment (P-4801) (E-5076) (P-17399/90; A-5214)
 89 Ill. Adm. Code 1300 Day Care (P-5141)
 80 Ill. Adm. Code 310 Pay Plan (PP-663) (P-14657/90; A-3296) (P-15186/90; A-4401) (P-4497; W-5920) (PP-5100) (P-5147) (PP-5465) (P-6364)
 44 Ill. Adm. Code 5030 Personal Use of State Telephones (P-1203)
 44 Ill. Adm. Code 5040 State Vehicles & Garage (P-17403/90; A-7553)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Dept. (P-4303/90; A-24)
 89 Ill. Adm. Code 335 Relative Home Placement (P-8415)

COMMERCE COMMISSION, ILLINOIS

92 Ill. Adm. Code 1311 Commodity Group Definitions (P-4195)
 83 Ill. Adm. Code 756 Dual Party Relay Service (P-18675/90; A-5618)
 83 Ill. Adm. Code 220 Reports of Accidents by Telecommunications Carriers & by Fixed Public Utilities Other Than Pipelines Transporting Liquids (P-15653/90; A-5056)
 83 Ill. Adm. Code 780 Right-of-Way Precondemnation Negotiations by Telephone Companies (P-13-00/90; A-5062)
 83 Ill. Adm. Code 730 Standards of Service for Local Exchange Telecommunications Carriers (P-1627)
 83 Ill. Adm. Code 730 Standards of Service for Telephone Utilities (G.O. 197) (PR-1650)
 83 Ill. Adm. Code 755 Telecommunications Access for the Hearing & Voice Impaired (P-19109/90; A-5624)
 83 Ill. Adm. Code 757 Telephone Assistance Programs (PR-4803; ER-5082; RC-5111)
 83 Ill. Adm. Code 710 Uniform System of Accounts for Telecommunications Carriers (P-20565/90; A-8205)
 92 Ill. Adm. Code 1308 Unlawful Operations (P-8097)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

14 Ill. Adm. Code 520 Enterprise Zone Program (P-13060/90; A-8683)
 14 Ill. Adm. Code 510 Ill. Promotion Act (P-677)
 14 Ill. Adm. Code 510 Ill. Promotion Act Programs (P-13072/90; A-2673)
 14 Ill. Adm. Code 570 Ill. Small Business Development Program (P-4528)
 56 Ill. Adm. Code 2650 Industrial Training Program (P-19503/90; W-3602)
 14 Ill. Adm. Code 550 Local Tourism & Convention Bureau Program (P-8782/90; A-1798)
 47 Ill. Adm. Code 100 Residential Energy Assistance Partnership Program (P-15189/90; O-1575; R-3603; A-3437)
 14 Ill. Adm. Code 640 Rural Diversification Act Program (P-13391/90; A-7558)
 56 Ill. Adm. Code 2600 Service Delivery System & State Responsibilities (P-691)
 47 Ill. Adm. Code 110 State Administration of the Federal Community Development Block Grant Program for Small Cities (P-10985/90; O-19076/90; R-3127 A-4410)
 47 Ill. Adm. Code 120 State Administration of the Federal Community Services Block Grant Program (P-8617)
 14 Ill. Adm. Code 545 Technology Advancement & Development Act Programs (P-3620)
 14 Ill. Adm. Code 340 Technology Commercialization Grant-In-Aid Programs (P-11022/90; A-973)
 56 Ill. Adm. Code 2610 Training Services for the Disadvantaged (P-16117/90; A-7595) (P-3641)
 56 Ill. Adm. Code 2630 Uniform Fiscal & Administrative Standards for the Job Training Partnership Act (P-8081)

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- 74 Ill. Adm. Code 280 Public Radio & Television Grants (P-18359/90; O-5112; R-8724; A-8696)

CONSERVATION, DEPARTMENT OF

- 17 Ill. Adm. Code 3035 Boat Access Area Construction Program (P-18365/90; A-4117)
- 17 Ill. Adm. Code 530 Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit & Crow Hunting; (P-4805)
- 17 Ill. Adm. Code 830 Commercial Fishing and Musseling in Certain Waters of the State (P-2057; RC-8314; A-8544)
- 17 Ill. Adm. Code 115 Competitive Tournament Fishing on State-Owned &/or Leased Water Areas (P-3365)
- 17 Ill. Adm. Code 2520 Consignment of Licenses (P-725; A-7653)
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- 17 Ill. Adm. Code 1590 Falconry & the Captive Propagation of Raptors (P-16174/90; A-32)
- 17 Ill. Adm. Code 510 General Hunting & Trapping on Department-Owned or -Managed Sites (P-48-9)
- 17 Ill. Adm. Code 3040 Ill. Bicycle Path Grant Program (P-18380/90; A-4132)
- 17 Ill. Adm. Code 2550 Ill. Salmon Stamp Contest Procedures (P-3655)
- 17 Ill. Adm. Code 570 Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck (Groundhog) Hunting; (P-6811)
- 17 Ill. Adm. Code 220 North Point Marina (P-16182/90; A-1495)
- 17 Ill. Adm. Code 525 Nuisance Wildlife Control Permits (P-18397/90; A-4149)
- 17 Ill. Adm. Code 1070 Possession of Specimens or Products of Endangered & Threatened Species (P-7855)
- 17 Ill. Adm. Code 550 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck Hunting; (P-6823)
- 17 Ill. Adm. Code 690 Squirrel Hunting (P-4214)
- 17 Ill. Adm. Code 810 Sport Fishing Regs. for the Waters of Ill. (P-18905/90; A-4699) (P-5160) (P-5160)
- 17 Ill. Adm. Code 720 Taking of Wild Turkeys - Fall Archery Season, The; (P-6836)
- 17 Ill. Adm. Code 715 Taking of Wild Turkeys - Fall Gun Season, The; (P-6842)
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TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
rc	= reclassified	F	= Failure to Remedy Objections
#	= renumbered	M	= Modification
		O	= ICAR Objection
		P	= Proposed rule
		PF	= Prohibited Filing
		pp	= Peremptory rule
		R	= Refusal to Modify or Withdraw
		RC	= ICAR Recommendation
		S	= Suspended rule
		W	= Withdrawal of Proposed rule

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950.40	am
950.50	am
1070.20	am
1535.10	n
1590.50	am
1590.80	am
1590.90	am
2520.50	am
2550.10	am
2550.15	n
3035.10	am
3035.30	am
3035.40	am
3035.50	am
3035.60	am
3035.70	am
3040 Ap. B	n
3040 Ap. C	n
3040 Ap. D	n
3040 Ap. E	n
3040 Ap. F	n
3040 Ap. G	n
4160.10	n
4160.20	n
4160.30	n
4160.40	n
4160.50	n
4160.60	n
4160.70	n
4160.80	n
4160.90	n
4160.100	n
4160.110	n
4160.120	n
4160.130	n
4160.140	n
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	100.30	(P-5943)	215.108	n	(P-6414) (P-8877/90; A-8018)
	125.425	am	215.123	am	(P-768)
	210.10	n	215.480	am	(P-8877/90; A-8018)
	210.Ap.A	n	215.481	am	(P-8877/90; A-8018)
			215.482	am	(P-8877/90; A-8018)
			215.483	am	(P-8877/90; A-8018)
TITLE 32	am	(P-15672/90; A-90)	215.484	am	(P-8877/90; A-8018)
	331.10	(P-15672/90; A-90)	215.485	am	(P-8877/90; A-8018)
	331.20	(P-15672/90; A-90)	215.485	am	(P-8877/90; A-8018)
	331.30	(P-15672/90; A-90)	215.486	am	(P-8877/90; A-8018)
	331.110	(P-15672/90; A-90)	215.487	am	(P-8877/90; A-8018)
	331.120	(P-15672/90; A-90)	215.488	am	(P-8877/90; A-8018)
	331.130	(P-15672/90; A-90)	215.489	#	(P-8877/90; A-8018)
	331.200	(P-15672/90; A-90)	215.489	n	(P-8877/90; A-8018)
	331.210	(P-15672/90; A-90)	215.490	#	(P-8877/90; A-8018)
	331.210	(P-15672/90; A-90)	215.490	n	(P-8877/90; A-8018)
	331.310	(P-15672/90; A-90)	215.581	am	(P-3659)
	331.Ap.B	(P-15672/90; A-90)	215.581	am	(P-12701/90; A-3309)
	331.Ap.C	(P-15672/90; A-90)	215.585	am	(P-3675)
	360.20	(P-6940/90; A-6180)	218.100	n	(P-3675)
	360.30	(P-6940/90; A-6180)	218.101	n	(P-3675)
	360.40	(P-6940/90; A-6180)	218.102	n	(P-3675)
	360.60	(P-6940/90; A-6180)	218.103	n	(P-3675)
	360.20	(P-6940/90; A-6180)	218.104	n	(P-3675)
	360.70	(P-6940/90; A-6180)	218.105	n	(P-3675)
	360.71	(P-6940/90; A-6180)	218.106	n	(P-3675)
	360.71	(P-6940/90; A-6180)	218.107	n	(P-3675)
	360.Ap.A	(P-6940/90; A-6180)	218.108	n	(P-3675)
	360.II.A	(P-6940/90; A-6180)	218.108	n	(P-3675)
	360.II.B	(P-6940/90; A-6180)	218.109	n	(P-3675)
	360.Ib.C	(P-6940/90; A-6180)	218.110	n	(P-3675)
	370.10	(P-11653/90; RC-8316)	218.111	n	(P-3675)
	370.20	(P-11653/90; RC-8316)	218.112	n	(P-3675)
	370.25	(P-11653/90; RC-8316)	218.121	n	(P-3675)
	370.30	(P-11653/90; RC-8316)	218.122	n	(P-3675)
	370.40	(P-11653/90; RC-8316)	218.123	n	(P-3675)
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	401.30	(P-1390; A-7054)	218.125	n	(P-3675)
	401.40	(P-1390; A-7054)	218.126	n	(P-3675)
	401.50	(P-1390; A-7054)	218.141	n	(P-3675)
	401.60	(P-1390; A-7054)	218.142	n	(P-3675)
	401.70	(P-1390; A-7054)	218.143	n	(P-3675)
	401.80	(P-1390; A-7054)	218.144	n	(P-3675)
	401.100	(P-1390; A-7054)	218.181	n	(P-3675)
	401.110	(P-1390; A-7054)	218.182	n	(P-3675)
	401.130	(P-1390; A-7054)	218.183	n	(P-3675)
	401.140	(P-1390; A-7054)	218.184	n	(P-3675)
	401.Ap.A	(P-1390; A-7054)	218.185	n	(P-3675)
	401.Ap.A	(P-1390; A-7054)	218.186	n	(P-3675)
	401.Ap.B	(P-1390; A-7054)	218.204	n	(P-3675)
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	211.122	am	218.208	n	(P-3675)
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	212.110	am	218.210	n	(P-3675)
	212.111	am	218.211	n	(P-3675)
	212.113	am	218.301	n	(P-3675)
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	212.243	am	218.303	n	(P-3675)
	212.424	n	218.304	n	(P-3675)
	212.443	am	218.401	n	(P-3675)
	214.101	am	218.402	n	(P-3675)
	214.104	am	218.403	n	(P-3675)
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	215.102	am	218.405	n	(P-3675)

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218,441	n	(P-3675)
218,442	n	(P-3675)
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218,447	n	(P-3675)
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218,449	n	(P-3675)
218,450	n	(P-3675)
218,451	n	(P-3675)
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218,463	n	(P-3675)
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218,472	n	(P-3675)
218,473	n	(P-3675)
218,474	n	(P-3675)
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218,482	n	(P-3675)
218,483	n	(P-3675)
218,484	n	(P-3675)
218,485	n	(P-3675)
218,486	n	(P-3675)
218,487	n	(P-3675)
218,488	n	(P-3675)
218,489	n	(P-3675)
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218,491	n	(P-3675)
218,492	n	(P-3675)
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218,502	n	(P-3675)
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218,542	n	(P-3675)
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218,546	n	(P-3675)
218,547	n	(P-3675)
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218,550	n	(P-3675)
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1075.1210	n	(P-1475890; A-1916)	250.201	n	(P-532290; A-5656)
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1075.1220	n	(P-1475890; A-1916)	250.213	n	(P-532290; A-5656)
1075.1225	n	(P-1475890; A-1916)	250.215	n	(P-532290; A-5656)
1075.1225	n	(P-1475890; A-1916)	250.220	n	(P-532290; A-5656)
1075.1225	n	(P-1475890; A-1916)	250.230	n	(P-532290; A-5656)
1075.1230	n	(P-1475890; A-1916)	250.232	n	(P-532290; A-5656)
1075.1235	n	(P-1475890; A-1916)	250.233	n	(P-532290; A-5656)
1075.1240	n	(P-1475890; A-1916)	250.235	n	(P-532290; A-5656)
1075.1245	n	(P-1475890; A-1916)	250.260	n	(P-532290; A-5656)
1075.1250	n	(P-1475890; A-1916)	250.270	n	(P-532290; A-5656)
1075.1255	n	(P-1475890; A-1916)	250.301	n	(P-532290; A-5656)
1075.1260	n	(P-1475890; A-1916)	250.310	n	(P-532290; A-5656)
1075.1265	n	(P-1475890; A-1916)	250.315	n	(P-532290; A-5656)
1075.1270	n	(P-1475890; A-1916)	250.320	n	(P-532290; A-5656)
1075.1275	n	(P-1475890; A-1916)	250.340	n	(P-532290; A-5656)
1075.1280	n	(P-1475890; A-1916)	250.341	n	(P-532290; A-5656)
1075.1285	n	(P-1475890; A-1916)	250.343	n	(P-532290; A-5656)
1075.1290	n	(P-1475890; A-1916)	250.358	n	(P-532290; A-5656)
1075.1295	n	(P-1475890; A-1916)	250.360	n	(P-532290; A-5656)
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1075.1310	n	(P-1475890; A-1916)	260.15	n	(P-7872)
1075.1315	n	(P-1475890; A-1916)	260.20	n	(P-7872)
1075.1320	n	(P-1475890; A-1916)	260.25	n	(P-7872)
1075.1325	n	(P-1475890; A-1916)	260.30	n	(P-7872)
1075.1400	n	(P-1475890; A-1916)	260.35	n	(P-7872)
1075.1405	n	(P-1475890; A-1916)	260.40	n	(P-7872)
1075.1410	n	(P-1475890; A-1916)	260.45	n	(P-7872)
1075.1415	n	(P-1475890; A-1916)	260.50	n	(P-7872)
1075.1420	n	(P-1475890; A-1916)	260.55	n	(P-7872)
1075.1425	n	(P-1475890; A-1916)	260.60	n	(P-7872)
1075.1430	n	(P-1475890; A-1916)	260.65	n	(P-7872)
1075.1435	n	(P-1475890; A-1916)	260.70	n	(P-7872)
1075.1440	n	(P-1475890; A-1916)	260.75	n	(P-7872)
1075.1445	n	(P-1475890; A-1916)	260.80	n	(P-7872)
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1075.1520	n	(P-1475890; A-1916)	4000.60	am	(P-6882)
1075.1530	n	(P-1475890; A-1916)	5030.110	am	(P-1203)
1075.1540	n	(P-1475890; A-1916)	5040.110	am	(P-1740390; A-7553)
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1075.1620	n	(P-1475890; A-1916)	100.110	am	(P-1518990; O-1575; A-3437)
1075.1630	n	(P-1475890; A-1916)	100.111	am	(P-1518990; O-1575; R-3603; A-3437)
1075.1640	n	(P-1475890; A-1916)	100.113	am	(P-1518990; O-1575; R-3603; A-3437)
1075.1650	n	(P-1475890; A-1916)	100.117	r	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)	100.120	am	(P-1518990; O-1575; A-3437)
	n	(P-1475890; A-1916)			

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